



महाराष्ट्र शासन राजपत्र

असाधारण भाग एक-कोकण विभागीय पुरवणी

वर्ष ७, अंक ३५]

बुधवार, जून ३०, २०२१/आषाढ ९, शके १९४३

[पृष्ठे ३८, किंमत : रुपये ११.००

असाधारण क्रमांक ४६

प्राधिकृत प्रकाशन

नगरविकास विभाग

मंत्रालय, मुंबई ४०० ०३२, दिनांक २९ जून २०२१

अधिसूचना

क्रमांक टिपीबी-४३१४/६२६५५८/प्र.क्र.१६८/२०१४/नवि-११.—ज्याअर्थी, शासन नगरविकास विभागाने अधिसूचना क्रमांक टिपीबी-४३०८/३७०९/प्र.क्र.३४७/०८/नवि-११, दिनांक १४ मे, २००९ अन्वये महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६ (महा. XXXVII of १९६६) (यापुढे ज्याचा उल्लेख “ उक्त अधिनियम ” असा करण्यात आला आहे.) अन्वये मुंबई महानगर प्रदेश विकास प्राधिकरण अधिनियम, १९७४ अंतर्गत स्थापन झालेल्या (महा. IV चे १९७५) मुंबई महानगर प्रदेश विकास प्राधिकरणाची (यापुढे ज्याचा उल्लेख “ एम.एम.आर.डी.ए.” असा करण्यात आला आहे.) छत्रपती शिवाजी आंतरराष्ट्रीय विमानतळ (CSIA) अधिसूचित क्षेत्रासाठी विशेष नियोजन प्राधिकरण म्हणून शासनाने नेमणूक केली आहे;

आणि ज्याअर्थी, शासन नगरविकास विभागाने अधिसूचना क्रमांक सिएमएस/टिपीबी-४३१२/१/प्र.क्र.४७/२०१२/नवि-११, दिनांक १७ मे, २०१३ द्वारे छत्रपती शिवाजी महाराज आंतरराष्ट्रीय विमानतळ अधिसूचित क्षेत्रासाठी (यापुढे ज्याचा उल्लेख “ सि.एस.आय.ओ.एन.ओ.” असा करण्यात आला आहे.) सदर अधिसूचनेसोबतचे परिशिष्ट-अ मध्ये दर्शविलेले सारभूत स्वरूपाचे बदल ई.पी.-१, ई.पी.-२ वगळता, अंतरिम विकास योजना सह विकास नियंत्रण नियमावलीस (यापुढे ज्याचा उल्लेख “ उक्त नियमावली ” असा करण्यात आला आहे.) शासनाने मंजूरी दिली असून त्यानंतर शासन अधिसूचना क्रमांक टिपीबी-४३१३/१२६७/प्र.क्र.१८३/२०१३/नवि-११, दिनांक ३ मार्च, २०१४ द्वारे सदर सारभूत स्वरूपाचे बदलांस शासनाने मंजूरी दिली आहे;

आणि ज्याअर्थी, “ सि.एस.आय.ओ.एन.ओ.” क्षेत्रामध्ये मोठ्या प्रमाणात झोपडपट्ट्या असून सदर झोपडपट्ट्या ह्या विमानतळाच्या दळणवळणाच्या सीमेलगत असल्याने सुरक्षेचा मोठा प्रश्न निर्माण झाला आहे. आणि ज्याअर्थी, मा. मंत्री, केंद्रीय नागरी वाहतुक मंत्रालय, दिल्ली यांनी दिनांक २२ जुलै, २०१४ रोजीच्या पत्रान्वये विमानतळाच्या वाहतुकीला झोपडपट्ट्यांच्या विमानतळाचे लगतचे हद्दीतील झोपडपट्ट्यांच्या अस्तित्वामुळे निर्माण झालेला सुरक्षेचा धोका नमूद करून, विमानतळ प्राधिकरणाने सि.एस.आय.ओ.एन.ओ. मधील झोपडपट्ट्यांचे त्याच जागेवर पुनर्वसन करण्यास मंजूरी दिल्याचे कळवून, सि.एस.आय.ओ.एन.ओ. मधील झोपडपट्ट्यांसाठी पुनर्वसन योजना तयार करण्याची विनंती राज्य शासनाला केली आहे.

आणि ज्याअर्थी, वरील विनंती विचारात घेता, सि.एस.आय.ऐ.एन.ऐ मध्ये झोपडपट्टी पुनर्वसन योजना राबविण्याकरीता उक्त नियमावलीमध्ये विशिष्ट तरतूद सत्वर अंतर्भूत करणे सार्वजनिक हिताच्या दृष्टीने आवश्यक झाले आहे व त्याकरीता उक्त नियमावलीमध्ये फेरबदल करणे आवश्यक आहे, अशी शासन नगरविकास विभागाची खात्री झाली आहे ;

आणि ज्याअर्थी, उपरोक्त परिस्थिती आणि वस्तुस्थिती विचारात घेता आणि उक्त अधिनियमाच्या कलम ३७ च्या पोट-कलम (१कक) अन्वये प्राप्त अधिकार आणि त्या संदर्भातील सर्व शक्तींचा वापर करून उक्त नियमावलीमध्ये नविन विनियम ६८ अंतर्भूत करण्यासाठी फेरबदलाची समक्रमांची सूचना महाराष्ट्र शासनाने दिनांक ९ सप्टेंबर, २०१४ रोजीची सूचना (यापुढे ज्याचा उल्लेख “ उक्त सूचना ” असा करण्यात आला आहे.) त्यासोबतचे परिशिष्टामध्ये नमूद फेरबदलावर (यापुढे याचा उल्लेख ‘प्रस्तावित फेरबदल’ असा केलेला आहे.) नागरिकांच्या हरकती/सूचना मागविण्यासाठी आणि प्राप्त हरकती/सूचना संदर्भात संबंधित व्यक्तींना तसेच नियोजन प्राधिकरणांस सुनावणी देवून शासनास अहवाल सादर करणेसाठी उप संचालक, नगररचना, बृहन्मुंबई (यापुढे त्यांचा उल्लेख “ उक्त अधिकारी ” असा केलेला आहे.) यांची नियुक्ती केली आहे ;

आणि ज्याअर्थी उक्त सूचना महाराष्ट्र शासन राजपत्रामध्ये (असाधारण- कोकण विभाग पुरवणी) (यापुढे याचा उल्लेख “ शासकीय राजपत्रात ” असा केलेला आहे.) दिनांक ९ सप्टेंबर, २०१४ रोजी प्रसिद्ध झालेली आहे. आणि उक्त अधिकारी यांनी त्यांचा अहवाल दिनांक १६ एप्रिल, २०१५ रोजीचे पत्राद्वारे संचालक, नगररचना, महाराष्ट्र राज्य, पुणे यांचेमार्फत कलम ३७(१कक) खालील विहीत कायदेशीर प्रक्रिया पूर्ण करून सादर केलेला आहे ;

आणि ज्याअर्थी, उक्त अधिकारी यांचा अहवाल विचारात घेता व संचालक, नगररचना, महाराष्ट्र राज्य यांचेशी सल्लामसलत केल्यानंतर प्रस्तावित फेरबदलास बदलासह मंजूर करणे आवश्यक असल्याचे शासनाचे मत झालेले आहे ;

आता, त्याअर्थी, उक्त अधिनियमाच्या कलम ३७(१कक)(ग) अन्वये प्राप्त अधिकारात आणि त्या संदर्भातील सर्व शक्तींचा वापर करून शासन याद्वारे :

(अ) उक्त प्रस्तावित फेरबदलाचे प्रस्तावास सोबतचे परिशिष्टामध्ये नमूद केलेप्रमाणे मंजूरी देत आहे.

(ब) सदरची अधिसूचना शासकीय राजपत्रामध्ये प्रसिद्ध झालेचा दिनांक हा उक्त फेरबदल अंमलात आलेचा दिनांक असेल.

(क) छत्रपती शिवाजी आंतरराष्ट्रीय विमानतळ अधिसूचित क्षेत्रासाठी (सि.एस.आय.ऐ.एन.ऐ. किंवा सि.एस.आय.ऐ. अधिसूचित क्षेत्र) विकास नियंत्रण नियमावलीचे नाव हे छत्रपती शिवाजी महाराज आंतरराष्ट्रीय विमानतळ अधिसूचित क्षेत्रासाठी (सि.एस.एम.आय.ऐ.एन.ऐ. किंवा सि.एस.एम.आय.ऐ. अधिसूचित क्षेत्र) विकास नियंत्रण नियमावली असे सुधारीत करण्यात येत आहे.

(ख) छत्रपती शिवाजी महाराज आंतरराष्ट्रीय विमानतळ अधिसूचित क्षेत्रासाठीचे (सि.एस.एम.आय.ऐ.एन.ऐ. किंवा सि.एस.एम.आय.ऐ. अधिसूचित क्षेत्र) विकास नियंत्रण नियमावली च्या मंजूरी सोबतच्या फेरबदलाचे परिशिष्टामध्ये शेवटच्या नोंदीनंतर वर ‘अ’ येथे नमूद केलेले सोबतचे परिशिष्ट समाविष्ट करणेचे निर्देश देत आहे.

सदर अधिसूचना महाराष्ट्र शासनाच्या www.maharashtra.gov.in (कायदे/ नियम) या वेबसाईटवर सुद्धा उपलब्ध करण्यात आली आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

निर्मलकुमार पं. चौधरी,
शासनाचे अवर सचिव.

परिशिष्ट

शासन नगरविकास विभागाकडील अधिसूचना क्रमांक टिपीबी-४३१४/६२६५५८/प्र.क्र.१६८/२०१४/नवि-११, दिनांक २९ जून, २०२१
सोबतचे परिशिष्ट)

Development Control Regulations for Chhatrapati Shivaji International Airport Notified Area (CSMIANA or CSMIA Notified Area) are renamed as Development Control Regulations for Chhatrapati Shivaji Maharaj International Airport Notified Area (CSMIANA or CSMIA Notified Area)

The following new Regulation is inserted in the Development Control Regulations for Chhatrapati Shivaji Maharaj International Airport Notified Area (CSMIANA)

Regulation 68 of Development Control Regulations for Chhatrapati Shivaji Maharaj International Airport Notified Area (DCR CSMIANA)

MIAL may undertake Rehabilitation of all hutment dwellers in the slums located in CSMIA Notified Area by implementing one or more Slum Rehabilitation Schemes (SRS) and, if necessary, one or more Contributory Rehabilitation Schemes (CRS) , in accordance with the provisions contained in the Appendix-A to these Regulations.

APPENDIX-A

Part – I

1. Applicability of Provisions

Provisions of this Appendix under Regulation 68 shall be applicable to :—

1.1. The slums which have been declared and notified as “Slums” by the Metropolitan Commissioner, MMRDA (hereinafter referred to as the Competent Authority) under the provisions of Maharashtra Slum Areas (Improvement, Clearance & Redevelopment) Act, 1971 (hereinafter referred to as ‘Slum Act’) and also the encroachments on the existing or proposed roads or encroached areas under electric H.T. power lines or Nalla banks and any partially or fully encroached areas, shown towards any buildable or non-buildable amenities of the Layout plan of the CSMIA Notified Area ; or

1.2. Any area which the said Competent Authority may declare as “Slum Rehabilitation Area”; and to the Hutment Dwellers in such Slums or Slum Rehabilitation Areas.

1.3. Any Slum Rehabilitation Scheme undertaken for rehabilitation of CSMIANA Hutment Dwellers outside of CSMIANA and anywhere in MMR.

1.4. Save and except provision for amenities which shall be as per Development Control and Promotion Regulations for Greater Mumbai 2034 (DCPR 2034) [Regulation 33 (10) (VIII) (8)] or Unified Development Control and Promotion Regulations for Maharashtra State (UDCPR) (applicable regulation) as the case may be. Further, at area out of CSMIANA, applicable provision for reservation for public purpose under DCPR 2034 and UDCPR, as the case may be, shall also be applicable and only ground floor Hutment Dwellers be eligible.

2. Definitions

2.1 Terms and expressions other than those specifically defined herein shall have the same meaning as in :—

- (i) The Maharashtra Regional and Town Planning Act, 1966,
- (ii) National Building Code (2005) as amended from time to time.

2.2 “Censused Slum” shall mean those slums located on lands belonging to AAI/MIAL, and incorporated in the records of the land owning authority as having been censused in 1976, 1980, 1985, prior to 1st January 2000 or Relevant Documents.

2.3. “Slum Rehabilitation Area”.—If any area has been enumerated as Slum in the Census or fulfils the condition laid down in section 3C of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 and is declared and notified as such, the same shall be deemed to be and treated as “Slum Rehabilitation Area”.

Slum Rehabilitation Area shall also mean any area declared as such by the Competent Authority for implementation of the SRS and/or any AAI/MIAL land required for implementation of “Slum Rehabilitation Scheme (SRS)”.

Any area required or proposed for the purpose of construction of temporary transit camps required for execution of SRS approved by the Competent Authority shall also be deemed to be treated as Slum Rehabilitation Areas.

2.4 A “Slum Structure” shall mean the ground floor dwelling areas of all persons who were enumerated as living in that numbered house in the Relevant Documents (as per Clause 2.5) regardless of the number of persons staying therein, or location of rooms in such structure or number of accesses to that structure.

2.5 “Eligible Hutment Dweller” is an actual inhabitant of ground floor of a hutment or Slum Rehabilitation Area referred to in Clause 1 of this Appendix and whose name appears in the Legislative Assembly Electoral Roll with cut-off date of 1st January, 2000 or any other prescribed documents by the Competent Authority (herein referred to as the Relevant Documents).

2.6 The “Competent Authority” referred to hereinafter in this Appendix shall mean the Officer appointed under Section 3 of the Maharashtra Slum Area (Improvement, Clearance and Redevelopment Act, 1971).

2.7 “Gross Plot Area” shall mean total plot area.

2.8 “Carpet Area” would have the same meaning as defined in Real Estate (Regulation and Development) Act, 2016.

2.9 “Floor Space Index (FSI) or Floor Area Ratio (FAR)” shall mean the quotient of the ratio of the total built up area on all floors, excepting the areas specifically exempted from computation under DCR CSMIANA to the gross area of the plot.

2.10 “Global FSI” means the FSI of the entire area under the SRS, where FSI from one slum pocket may be used at another slum pocket within the area of such SRS.

2.11 “Recreation Ground (RG)” shall mean any common open space required to be kept in any layout and left permanently open to the sky and accessible to all members as a place of recreation.

2.12 “Hazardous Building” shall mean any building or part thereof which is used for the storage, handling, manufacture, or processing of any Hazardous Material. “Hazardous Material” means any material as mentioned in Regulation 1(71) of DCPR 2034.

2.13 “Rehabilitation Component” shall mean the total construction area computed in the Rehabilitation Building(s) for the rehabilitation of Hutment Dwellers in the Slum Rehabilitation Scheme.

2.14 “Amenity Component” shall mean the constructed amenities prescribed by the Competent Authority for rehabilitation of the Hutment Dwellers in the Slum Rehabilitation Scheme.

2.15 “Annual Schedule of Rates (ASR)” is the average statement of rates prepared annually by Inspector General of Registration and Controller of Stamps, Maharashtra State, Pune.

2.16 “AAI” means Airports Authority of India

2.17 “Airport Specific Rehabilitation Scheme” means Slum Rehabilitation Scheme (SRS) under this Appendix which includes Contributory Rehabilitation Scheme for Non-Protected Hutment Dwellers.

2.18 “Hutment Dwellers” means inhabitants of the Slum or Slum Rehabilitation Area, such Hutment Dwellers may be Eligible Hutment Dwellers or Non-Protected Hutment Dwellers.

2.19 “Non-Protected Hutment Dweller” is an occupant of ground floor in Slum or Slum Rehabilitation Area on or before 1st January 2011 but after 1st January 2000. Determination of date of occupancy for the purpose of an inhabitant to be declared as Non-Protected Hutment Dweller shall be based on documents prescribed by the Competent Authority. Rehabilitation of such Hutment Dwellers shall be governed by the provisions of Part III of this Appendix.

2.20 “MIAL” in this Appendix means Mumbai International Airport Limited and, subject to context, includes any developer, agency or representative duly appointed by it, hereinafter referred to as MIAL/ developer.

2.21 “Pavement” shall mean any Municipal/Government/Semi Government pavement and shall include stretch of the pavement as may be considered viable for the purpose of the SRS.

2.22 “Rehab BUA” means total of actual built up area required to rehabilitate residential, commercial and residential *cum* commercial tenements in SRS.

2.23 “Slum Rehabilitation Authority” means the Authority appointed by the State Government under section 3A or under any other applicable provision of Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971. For Slum Rehabilitation Scheme under this Appendix, Slum Rehabilitation Authority shall be Metropolitan Commissioner, Mumbai Metropolitan Region Development Authority (MMRDA).

2.24 “Transferable Development Rights (TDR)” shall have the same meaning as per DCPR 2034 or UDCPR as the case may be.

2.25 MMR means Mumbai Metropolitan Region as notified under MMRDA Act, 1974.

PART-II

3. Slum Rehabilitation Scheme (SRS)

3.1. *Slum Rehabilitation Scheme.*—Slum Rehabilitation Scheme shall mean an Airport Specific Slum Rehabilitation Scheme for rehabilitation of Eligible Hutment Dwellers of one or more slum areas at CSMIANA, in accordance with the provisions of this Appendix and shall include transit camps, infrastructure, amenities, rehabilitation component of the development, as permitted on the area of SRS by the Competent Authority which shall be competent to approve the Slum Rehabilitation Schemes under this Regulation, being the Planning Authority and Competent Authority for the CSMIA Notified Area. SRS shall also include Contributory Rehabilitation Scheme for Non-Protected Hutment Dwellers.

3.2. Mumbai International Airport Limited (MIAL) may implement one or more Slum Rehabilitation Schemes (SRS) for rehabilitation of Hutment Dwellers either directly or by appointing a developer.

3.3. MIAL may use any of the following options for rehabilitation of Hutment Dwellers.

3.3.1. Eligible Hutment Dwellers may be rehabilitated by relocation to another location but within CSMIANA or outside CSMIANA or both but within MMR as per provisions of this Appendix. Such rehabilitation shall take place as per the provisions of this Appendix.

3.3.2 Hutment Dwellers may also be rehabilitated by relocation to any alternative location, as far as possible within the limits of Greater Mumbai or in the Mumbai Metropolitan Region (MMR). Such ex-situ Rehabilitation shall take place as per the provisions of this Appendix and further subject to the provisions of the Development Control Regulations applicable to such alternative areas.

For the purpose of rehabilitation of Hutment Dwellers of CSMIANA, MIAL may utilise vacant plots at CSMIANA or may acquire or purchase additional land, adjacent to CSMIANA or elsewhere in the MMR. For such ex-situ rehabilitation of Hutment Dwellers within the limits of MMR, MIAL shall be eligible for land TDR of 2 times of land area used for such ex-situ rehabilitation.

3.4 The procedure to be adopted for the implementation of any Slum Rehabilitation Scheme (SRS) shall be as per the provisions of this Appendix.

4. Eligibility for Rehabilitation under Slum Rehabilitation Scheme

4.1 Inhabitants of the slums or Slum Rehabilitation Areas referred to in Clause 1 of this Appendix, whose names appear in the Relevant Documents, shall be eligible for allotment of rehabilitation tenement as per the provisions of this Appendix.

4.2 Subject to the foregoing provisions, only the actual occupants of the hutments shall be treated as eligible for rehabilitation under the SRS and any person claiming ownership of such structure who is other than the actual occupant, shall have no right whatsoever to allotment of rehabilitation tenement even if his name is shown in the Relevant Documents.

4.3 Any Hutment Dweller whose name appears in the Relevant Documents and who is an actual occupant of such hutment shall not be held eligible for rehabilitation if his name is also included in any other electoral roll of any other non-slum area.

5. Contributory Rehabilitation Scheme (CRS)

MIAL may implement one or more Contributory Rehabilitation Schemes to rehabilitate Non-Protected Hutment Dwellers as per Clause 2.19, by procuring tenements from the market or buying tenements constructed under any Scheme of the State Government or the Central Government or by constructing tenements as per the provisions of Part III of this Appendix, anywhere in the MMR.

6. Joint Ownership of Rehabilitation Tenement with Spouse

The rehabilitation tenement under SRS or CRS shall be jointly owned by the Pramukh Hutment Dweller and the spouse, if applicable. The details of the ownership including Share Certificate and other relevant documents, shall be so entered and shall be deemed to be entered in the records of the Co-operative Housing Society (CHS), to be formed after the allotment of rehabilitation tenements to the Hutment Dwellers in the completed Rehabilitation Building(s).

7. Denotification as Slum Rehabilitation Area

The Competent Authority for the SRS shall denotify partly or fully the Slum Rehabilitation Area as per provisions of the Slum Act, 1971, on being satisfied that it is necessary to do so or when directed by the State Government.

8. The following provisions shall apply to construction of accommodation for rehabilitation of Hutments Dwellers/ Pavement dwellers under SRS to be executed by MIAL either directly or through a developer.

8.1 Eligible Hutment-Dweller, in the Slum or on the Pavement, shall, in lieu of his residential structure, be given free of cost a residential tenement, having a carpet area of 27.88 sq. m. (300 sq. ft.), which shall include living room, bedroom kitchen / alcove, bath and water closet, but shall exclude common areas.

However the 25 sq. m. (269 sq. ft.) carpet area tenement already constructed and available with MIAL, may be offered to Hutment Dwellers and they will not be compensated or given the difference between 27.88 sq. m (300 sq. ft.) and 25 sq. m (269 sq. ft.).

Where a person has both residential and commercial premises without common wall between residential and commercial premises, for commercial/ office/ shop/ economic activity in the Slum/ Pavement, he shall be considered eligible for a residential/ commercial unit including BUA for commercial / office/ shop/ economic activity both free of cost and carpet area of such unit shall not exceed 27.88 sq. m. (300 sq. ft.)

The eligible existing area under commercial/ office/ shop/ economic activity shall be computed on the basis of official documents such as Licence under the Shops and Establishment Act, electricity bills, photo pass etc.. BUA for commercial/ office/ shop/ economic activity upto 20.9 sq. m. (225 sq. ft.) carpet area or actual area whichever is less shall be provided to the Hutment Dweller as part of the SRS. For Industrial user, the Hutment Dweller may be provided a commercial unit in the Rehabilitation Component as applicable to a commercial unit.

8.2 Pavement-dwellers and Hutment Dwellers in the slum situated on lands required for airport development, vital public utility/ purpose or on the hazardous location or on amenity spaces / open spaces plots shall not be rehabilitated in-situ but in other available plots.

8.3 Commercial godowns, Cowsheds/ gothas, scrap godowns/ yards; hazardous users/ structures shall not be permitted in the SRS. These shall be evicted and shall be moved away from the Slum Rehabilitation Area as nonconforming uses.

8.4 For the approval of the SRS, consent of the concerned slum dwellers shall not be necessary. The Competent Authority shall finalise the list of Hutment Dwellers on the declared Slum Rehabilitation Area with reference to area proposed under the SRS; and it shall be obligatory on all Hutment Dwellers to participate in the Slum Rehabilitation Scheme, once the same is approved by the Competent Authority.

8.5 MIAL or developer appointed by MIAL shall enter into an individual agreement with the Eligible Hutment Dweller of each structure in the slum area under the SRS. The agreement will be in the joint name of Pramukh Hutment Dweller and spouse, if applicable, for every structure.

9.0 Building Permission under SRS and Release of TDR

9.1 Approval to the Airport Specific Slum Rehabilitation Schemes for CSMIANA under this Appendix shall be granted by the Competent Authority.

9.2 The Competent Authority shall approve the proposal for the SRS along with the list of Hutment Dwellers.

9.3 On compliance with the terms and conditions for approval to the SRS, and the requirements of DCR CSMIANA, the necessary building permission under section 45 of MRTP Act, 1966, shall be admissible in accordance with these provisions for constructing the Rehabilitation Component of the SRS and release of TDR as per the provisions in this Appendix and DCR CSMIANA.

9.4 Release of TDR shall be linked to the stages of construction of Rehabilitation Component as per Table 2 :—

Table 2

S. No.	Stage of Construction of Rehabilitation Component	Percentage of release of TDR
(1)	(2)	(3)
1	After completion of rehab plinth work	25%
2	After completion of Rehab R.C.C.work	25%
3	After completion of rehab masonry and plaster work.	25%
4	After completion of all rehab work with Occupancy Certificate and also handing over of the same to MIAL	25%

9.5 MIAL or the developer appointed by MIAL shall deposit with the Competent Authority an amount of Rs 40000 for each tenement including welfare hall(s) and balwadi(s) in the Rehabilitation Component of the SRS.

9.6 MIAL or the developer appointed by MIAL shall pay an amount of Rs. 1000 per sq. m. as “Infrastructure Charge” for the Built-up area under the SRS, over and above the Base FSI of 1.0, for the Rehabilitation Component under the SRS. 90% amount will go to the concerned Local Authority and 10% amount will remain with the competent Authority.

10.0 Rehabilitation Component and TDR—

10.1 Admissible FSI for the Slum Rehabilitation Scheme shall be the admissible FSI for the Rehabilitation Component. The ratio between Rehabilitation Component and TDR shall be as mentioned in Clause No. 10.4.

10.2 The Rehabilitation component shall mean the total built-up area of all residential tenements as well as non-residential built-up premises required for rehabilitation of the Hutment Dwellers in accordance with the provisions of this Appendix and DCR CSMIANA or UDCPR, including what is set down in Clauses 10.8.1, 13.8.1, 15.2, 15.3, of this Appendix. Built-up area for Rehabilitation component shall include the total construction area of Rehabilitation component including areas under passages, balwadis, welfare centres, office of the Co-operative Housing Society of Hutment Dwellers.

10.3 The Rehabilitation Component shall include all rehabilitation tenements for Residential/Residential + Commercial/ Commercial users and what is set down in Clauses 10.8.1, 13.8.1, 15.2, 15.3.

10.3.1 For computation of Rehabilitation Component, it shall exclude what is set down in DCR CSMIANA or UDCPR except Meter Room, Pump Room and Fire-Control Room.

10.4 For each 10 sq.m of the built-up area under the Rehabilitation Component, TDR shall be as per Table 3

Table. 3

S. No.	Rehabilitation Component	TDR
1	10.00 Sq.mtr.	11.00 Sq.mtr.

10.5 Maximum FSI admissible on the gross plot area of the SRS shall be 4.00 or the FSI required to construct the Rehabilitation Component, Amenity Component under the SRS, whichever is higher.

10.6 On submission of development proposal to the Competent Authority, it shall be obligatory to obtain no objection certificate from MIAL, subject to approval by the Competent Authority in consultation with MIAL, the decision of MIAL shall be final and binding on all

concerned regarding the proportion and location of the land area to be used for the Rehabilitation Component and Amenity Component.

10.7 The admissible FSI and development in CRZ Area shall be governed by the MOEF&CC Notifications issued from time to time.

10.8 The areas exempted from computation of FSI shall be as per provisions of this Appendix and DCR CSMIANA or UDCPR, and subject to Clause 10.8.1 herein below, while the areas referred to in Clauses 13.8.1, 15.2, and 15.3 of this Schedule shall not be included for computation of FSI.

10.8.1 Carpet area admeasuring 27.88 sq. m of the rehabilitation tenement shall include the area of the balcony, if any, and the same shall be counted towards FSI calculation.

10.8.2 Subject to maximum height permissible by AAI, it shall be mandatory for the developer to provide minimum density of 500 Tenement/Ha. on the net plot area for rehabilitation of Hutment Dwellers.

10.9 CSMIANA Plots identified to be part of the SRS shall be available for the SRS in accordance with their 'use' as shown in the CSMIANA Layout/Interim DP Plan. It shall be permissible to implement SRS on any encumbered CSMIANA plot, in CSMIANA Layout plan.

10.10 Any land declared as SRS area shall be notionally treated as one plot, even if it is spread on part or parts of boundary of different CTS Nos. or Survey Nos. Separate approval shall not be necessary for such deemed amalgamation and such notionally amalgamated plot shall be treated as a single plot for the purpose of FSI computation. However such an amalgamation shall not include existing nalla, water body or transmission line zone if any.

10.11 All the plots involved in any SRS under which rehabilitation of Hutment Dwellers is envisaged under Clauses 3.3.1 shall be notionally treated as one, for the purpose of computation of FSI.

10.12 The areas of plots under the SRS shall be certified by the Competent Authority after actual on-site measurement of the areas of plots. Such certified boundaries and areas of plots shall be the basis adopted for planning purposes, for calculation of tenement density and FSI and other aspects of planning.

10.13 At the time of granting approval to the Slum Rehabilitation Scheme (SRS), the land earmarked for SRS area may be further subdivided, if necessary, to carve out separate plots for the Rehabilitation Component and the Amenity Component. Both, the Plot area and the Built-up area of the said plots shall be treated as independent plots and mentioned separately in sq. m in the lease agreements.

11. Temporary Transit Tenements

11.1 The Temporary Transit Tenements for rehabilitation of Hutment Dwellers may be allowed to be constructed by MIAL or the developer appointed by MIAL, on Rehabilitation site itself, or on any other land located within CSMIANA or elsewhere in MMR. "Transit Tenement" shall mean habitable residential accommodation constructed from detachable material such as tubular/ prefabricated light structures or such other material. Such temporary structure must be constructed in such a manner that it ensures safety of the inhabitants. Design criteria for structural elements of transit camps shall be similar to those of the rehabilitation tenements, however, the area shall remain the same as for regular building components with a minimum carpet area of 16.72 sq. mt. (180 sq. ft.) for each transit tenement.

11.2 Multi-storeyed temporary transit tenements may be allowed to be constructed on any suitable plot within SRS area with prior permission of the Competent Authority.

11.3 The area of temporary transit tenements shall be excluded from the computation of FSI.

11.4 Building permission for the Temporary Transit Tenements shall be given within 30 days from the date of application by MIAL/developer, subject to the following conditions:—

11.4.1 Building permission for the temporary transit tenements to be erected shall be given by the Competent Authority on the plot earmarked for such purpose by MIAL (hereinafter referred to as Transit Plot) and the Temporary Transit Tenements shall remain on such plot only for the duration of the SRS as approved by the Competent Authority on the basis of the time required for construction of the Rehabilitation tenements.

11.4.2 MIAL/developer shall provide necessary infrastructure for services like water, electricity, etc. for the temporary transit tenements.

11.5 Construction of Temporary Transit Tenements may be allowed on any existing vacant land within the CSMIANA, including any site of Amenity Space/ Open Space, with the prior permission of the Competent Authority.

11.6 The Temporary Transit Tenements shall be demolished by MIAL/developer within the time period prescribed by the Competent Authority unless such time period is extended further as per Clause 11.4.1 above.

11.7 If the MIAL/developer fails to demolish the temporary transit tenements as per Clause 11.6, the Competent Authority shall demolish the temporary transit tenements, in which case, all the costs pertaining to demolition and removal of debris shall be recovered from the MIAL/developer, along with additional penal amount as determined by the Competent Authority.

11.8 If the development in the SRS takes place in a phase-wise manner as per the plan approved by the Competent Authority requiring repeated use of Temporary Transit Tenements, then for the final phase of implementation of the SRS, only a Provisional Occupancy Certificate shall be given for a period not exceeding 60 days, during which time MIAL/ developer shall ensure that all the hutment dwellers are shifted from Temporary Transit Tenements to their allotted Rehabilitation tenements. The MIAL/developer shall also ensure all the Temporary Transit Tenements are demolished and debris and other material, removed from the site. Occupancy Certificate for final phase of implementation of the SRS development shall only be granted when all the Temporary Transit Tenements have been demolished and the Transit Plot site has been cleared to the satisfaction of Competent Authority.

12. Rehabilitation Entitlements for Industrial /Commercial/ Business/ Office Users

12.1 The built-up area for Commercial / Industrial user (for example business / office / shop) that existed prior to 1st January 2000 in the Rehabilitation Component, shall be admissible to the concerned person, subject to the provisions in the Clause 12.2 below. In case a Hutment Dweller has both, residential and commercial premises within the area of SRS without a common wall between such residential and commercial premises, in the slum/ pavement, in respect of which the SRS is being or is to be implemented, he shall be eligible for a residential tenement of 27.88 sq.m carpet area free of cost.

12.2 The existing area under Residential+ Commercial/ Commercial/ Industrial uses shall be computed on the basis of actual measurement and production of official documents such as Licence under the Shops and Establishment Act and Electricity bills or any other document as prescribed by the State Government from time to time. The admissible rehabilitation built-up area for commercial/ office/ shop/ economic activity user in the Slum/ Pavement that existed prior to 1st January 2000 as reflected in the Relevant Documents shall be based on the actual area or 20.9 sq. mt. (225 sq. ft.) carpet area whichever is less.

12.3 All existing industrial users may be provided a commercial unit in the Rehabilitation Component as applicable to a commercial unit.

12.4 Commercial/ office/ shop/ economic activity may be allowed to be constructed on any side of the plot abutting minimum 3 m wide pathway and deriving access from minimum 3 m wide

pathway. Back-to-back shopping on ground floor shall also be allowed for the purpose of rehabilitation. In case the plot is fully constructed at the ground level as per the provisions above, similar constructions may be permitted on the 1st floor if needed. These provisions may be allowed on the first floor, to the extent found necessary.

12.5 All activities which existed as on date of eligibility shall be allowed to be relocated within the area of the SRS, except those activities which are hazardous and polluting (as mentioned in Clause 8.3). Further relocation of such hazardous and polluting activities shall not be permitted within SRS.

13. Relaxation in Building and Other Requirements

13.1 The ratio between the length of the pathway and the width thereof shall be as follows:—

Length	Width
Up to 75	6.0 m
above 75	7.5 m

13.1.1 Between the dimensions prescribed for the pathway and the marginal distances, the larger of the two shall prevail. The pathway shall serve as access wherever necessary. The construction of buildings may be permitted abutting the pathways.

13.2 For a building having height upto 32 m in the rehabilitation component the front and marginal open space shall be 3.0 m and in case of such buildings having height more than 32mt. the minimum marginal open space shall be 6.0 m or as may be prescribed by Chief Fire Officer, MCGM or other relevant Municipal authority.

13.2.1 For the plot abutting a road having width of 18 m or above, the front marginal open space shall be at least 6 m., provided the road is not a Classified Road.

13.2.2 The distance between any two rehabilitation buildings shall not be less than 6 m.

13.3 The following areas, shall not be counted towards the “Open Spaces”:—

- (a) land under Nallas
- (b) land under cart tracts
- (c) land under transmission lines, telephone lines and corridors left for such services

13.3.1. The provisions in DCR CSMIANA relating to balcony shall apply to the SRS, subject to the condition that the balcony shall not reduce marginal open space to less than 1.5m.

13.3.2. Norms for the clear distance to be kept from water courses shall be governed by the provisions of DCR CSMIANA and the norms for the clear distance to be kept from HT electric lines shall be governed by the requirements of Central Electricity Authority / Electricity Act, 2003/ DCPR 2034/ UDCPR, as amended from time to time.

13.3.3. Where the plot abuts a nalla, the marginal open space along the nalla shall not be insisted upon beyond 3 m from the edge of the trained nalla.

13.4. Parking - Common parking lots shall be provided as per the norms specified in DCR CSMIANA or this Appendix. Any relaxation required may be granted as per the provisions contained therein. However, 25% additional parking lots required for areas in the Mumbai Metropolitan Region shall not be insisted upon for the SRS.

Provision for Parking shall be as follows :

- (a) Residential :
 - (i) one car parking per 8 tenements having carpet area upto 45 sq. mt. each, or

(ii) one parking space per tenements for two wheeler shall be provided, above parking spaces may be provided in any combination. Parking for visitors may be provided to the extent of maximum 5% of the number stipulated above, subject to minimum one parking.

(b) Commercial: one parking for every 150 sq. mt. of floor area or part thereof. Provided that no parking space need to be provided floor area upto 50 sq. mt.. Parking for visitors may be provided to the extent of 5% of the number of parking stipulated above, subject to minimum one parking.

13.5 Requirements of parts of buildings shall be governed as per the following provisions:

13.5.1 Plinth - The minimum plinth height shall be 45 cm and in flood prone areas, the plinth shall be at least 30 cm higher than the Highest Flood Level.

13.5.2 Habitable Rooms - The minimum width for any habitable room shall not be less than 2.4 m.

13.6 Kitchen: Separate kitchen shall not be necessary, and cooking space (alcove) shall be allowed without any minimum size restriction. Where kitchen is provided, the minimum width shall be 1.5 m.

13.7 Bathroom and Water Closets: Bathrooms and Water Closets shall be governed by the provisions made in DCR CSMIANA.

13.7.1 In a Water Closet, flushing cisterns may not be essential and toilets without this provision may be permitted. Water closet seat shall be of a minimum length of 0.46m (18 inches).

13.8 Common Areas:

13.8.1 Common Passage –

13.8.1.1 The minimum width of Common Passage in the Rehabilitation Component shall be 1.5 m.

13.8.1.2 The area of common passage not exceeding 2.0 m in width provided in Rehabilitation Component, shall not be counted towards the computation of FSI.

13.8.1.3 If podium is proposed, the corridors having a width of 6.0 m or less formed under the podium for Rehabilitation of Commercial/ Industrial units under Rehabilitation Component and Amenities, may be up to a width of 6.0 m and shall not be counted towards computation of FSI. RG required under these Regulation shall not be provided on podium.

13.9 Stairways –

13.9.1 The minimum width of each flight, mid-landing and corridor of the staircase shall not be less than 1.5 m for building height upto 70 m and 2 m for building height above 70 m.

13.9.2 No flight shall contain more than 12 risers, but in residential buildings, in narrow plots and High Density Housing a single flight staircase may be permitted.

13.9.3 The minimum height of all risers shall be 15 cm and maximum 17.5 cm. in a residential building.

13.9.4 The minimum width of the tread without nosing shall be 25cm. for any staircase of a residential building, other than stairs provided in fire escapes.

13.9.5 The minimum head-room in a passage under the landing of a staircase and under the staircase shall be 2.2 m.

13.9.6 The ordinal number of each floor shall be conspicuously displayed, painted in figures of the size of at least 15 cm. on the wall facing the flights of a stairway or at such suitable place as is distinctly visible from the flights.

13.9.7 Handrails or parapet wall having a minimum height of 0.9 m. from the centre of the treads shall be provided

13.10 Lifts

13.10.1 In case of buildings having a height of more than 32 m, at least two lifts shall be provided, one of which shall be capable of accommodating a stretcher.

13.10.2 Provisions of Lifts for people as well as accommodating stretcher, in any building under the Rehabilitation Component shall be as per the Table 5 below:

Table 5

S.No.	Height of Building	<u>Minimum No. of lifts</u>	
		General	Stretcher
1	Up to G+4	—	—
2	Up to G+9	1	—
3	Up to G+15	1	1

13.11 Floor Height - The minimum clear floor height of rehabilitation tenement room shall be 2.75m (finished floor to finished ceiling) and any toilet shall have a clear minimum floor height of 2.40m.

13.12 All Regulations mentioned hereinabove under Clauses 13.1.1, 13.2, 13.2.1 shall be applicable to the buildings under the Rehabilitation Component under SRS.

13.13 Even if the amenity space may be allowed to be reduced to make the SRS technically and/or financially viable, at least 5% of gross plot area shall be provided as amenity space. Moreover, 5% of net plot area shall be maintained as Recreation Ground (RG)/ open space.

13.13.1 Recreation Ground/ Open space shall only be used as a Playground, or for Tree Plantation or Landscaping. Construction in any RG/ Open spaces may be allowed by the Competent Authority.

13.14 In the event of any proposed road widening, the computation of permissible FSI shall be made on the gross plot area, without deducting the area under such road widening.

13.15 Provision for Light and Ventilation shall be governed by the provisions made in DCR CSMIANA.

13.16 Fire Protection Requirements –

13.16.1 The planning, design and construction of any building under SRS shall be such as to ensure safety from fire. For this purpose, unless otherwise specified in these Regulations, the provisions of Regulation 47 (1) (A) and 48 of DCPR 2034 and similar provision of Regulation 9.32 and 9.28 in UDCPR will be applicable.

13.16.2 For multi-storeyed, high rise and special buildings, additional provisions relating to fire protection shall conform to the requirement of open space on all sides having minimum width of 6 m. and the layout of such buildings shall conform to the requirements prescribed by the Chief Fire Officer. The aforesaid open spaces shall be free of any obstruction and shall be motorable.

13.16.3 Fire protection requirements for the buildings and structures to be constructed under SRS components shall be governed by the provisions made in DCR CSMIANA.

14. Slums and Layout Amenities :—

14.1 The provisions of this Appendix shall prevail over the corresponding provisions of DCR CSMIANA or DCPR 2034 or UDCPR, in case of any conflict.

14.2 Existing hutments in the slum pockets occupying lands in dangerous locations such as hill slopes, marshy lands, in close proximity of water bodies, lands abutting Railway tracks and sites immediately required for the public and semi-public projects may be relocated on other suitable locations with the prior approval of the Competent Authority.

14.3 Existing hutments in the slums shall be allowed to be rehabilitated only where the amenities such as water-supply, sewage disposal, drainage and electricity are available. Additionally, the Competent Authority may also provide for other facilities, if required as a part of the SRS.

14.4 Wherever any CSMIANA Layout road passes through a plot under SRS, entire 100 percent FSI of such road shall be given for utilisation in the same site, on the remaining area of such plot area or as TDR.

14.5 In case of a Slum Rehabilitation Area, if the land on which the SRS is undertaken is adjoining railway tracks, a boundary wall of minimum 2.4 m in height shall be constructed on the side of the plot abutting the railway line. The developer shall be required to furnish a No Objection Certificate (NOC) from the concerned Railway Authority before being granted permission for construction of a building planned under SRS within a distance of 30 m from the railway boundary. Any development on such plot shall be carried out as per the terms and conditions stipulated by the concerned Railway Authority.

15. Aanganwadi, Health Centre / Outpost, Gymnasium / Fitness Centre, Skill Development Centre, Women Entrepreneurship Centre, Yuva Kendra, Library, and Religious Structures:

15.1 There shall be Balwadi, Welfare hall, society office and any of two amenities, as proposed by the developer, mentioned above of size 27.88 sq. m for every multiple or part of 500 Hutment Dwellers. There shall be a community hall for rehab building of the SRS as a part of the Rehabilitation Component. The area of such hall shall be 2% of rehab built up area of all the buildings or 200 sq. m whichever is less.

Religious structures existing prior to redevelopment, if allowed in accordance with the guidelines issued by the State Government from time to time as part of redevelopment, shall not exceed the area that existed prior to redevelopment.

Other social infrastructure like school, Dispensary, and Gymnasium run by Public Authority or Charitable Trust that existed prior to the rehabilitation and certified by the Competent Authority shall be allowed to remain or shift to another location. However, there shall be no increase in the existing built-up area occupying such social infrastructure.

15.2 Welfare Centre, Society Office, Balwadi, Health Centre, Multipurpose Community hall, Neighbourhood Market and religious structures, in the Rehabilitation Component shall not be counted towards the computation of FSI.

15.3 In addition to amenities such as the Welfare Centre, Balwadi, Society Office, Health Centre, Multipurpose Community hall, Neighbourhood Market and Religious Structures, the Competent Authority shall have rights to prescribe other necessary social amenities in any SRS, which shall have to be provided by MIAL/ developer on the rehabilitation site. The area constructed for such amenities shall not be counted towards computation of FSI.

16. Payments to Special Planning Authority/ Competent Authority:

16.1 The premium agreed upon between MIAL/ developer and the Competent Authority for any SRS shall be paid to the Competent Authority by MIAL/developer as per the installments and time schedule decided by the Competent Authority.

17. Procedure For Determining Eligibility For Rehabilitation:

17.1 A certified extract of the Relevant Documents shall be considered as evidence to establish the eligibility of a person for rehabilitation provided he is found to be occupying any Slum Structure. This is to avoid the possibility of persons who have left the structure coming back to claim free tenement under the scheme even though they have in the normal course left the slum and gone away. In case of doubt or dispute, the decision of the Competent Authority shall be final and binding on all the parties concerned.

The eligibility of a person including transferees under the SRS shall be established in accordance with Chapter I-B of the Maharashtra Slum Area (Improvement, Clearance and Redevelopment) Act, 1971 and orders issues there under.

17.2 Eligible Hutment Dwellers having a physically handicapped person or a widow household shall be given first preference in allotment of tenements to the Hutment Dwellers. Thereafter lots shall be drawn for allotment of tenements from the remaining tenements to the rest of the Eligible Hutment Dwellers, before grant of OC to the rehabilitation building.

17.3 Ownership and Terms of Lease- The part of AAI/MIAL land on which the Rehabilitation Component of the SRS will be constructed and will be leased to Hutment Dwellers for a period up to year 2036, on lease rent as decided by MIAL from time to time, and shall be renewable for further periods, as per the provisions of Operation, Management and Development Agreement (OMDA). The said lease deed shall be executed within 60 days from the date of issue of occupation certification.

17.4 Recovery of pending dues such as assessment, compensation, occupational charges, non-agricultural tax/ dues etc. pending with public authorities such as State Government, AAI/ MIAL, Municipal Corporations, City and Industrial Development Corporation etc. if any, shall not be linked to grant of approval or building permission to the SRS.

17.5 The developer shall register a Co-operative Housing Society for the rehabilitated slum dwellers immediately after occupation of rehab tenements by the slum dwellers. Stamp duty under Bombay Stamp Act, 1958 for registration of such rehabilitation tenement's document shall be fully exempted.

17.6 After construction of transit camp, the developer shall ensure the shifting of slum dwellers to the transit accommodation. In case of refusal/ objection by the slum dwellers, Clause 17.10 below shall be applied to those slum dwellers.

17.7 After the completion of permanently constructed rehabilitation building, the Competent Authority shall allot rehabilitation tenements by lottery system publicly. In case of refusal/ objection by the slum dwellers, Clause 17.10 below shall be applied to those slum dwellers.

17.8 In case after occupation of rehabilitation tenement, any new hutment or structure is reconstructed or occupied by the slum dweller, such unauthorised structure shall be immediately evicted and demolished without giving any notice by the Competent Authority in consultation with MIAL.

17.9 The MIAL or the developer appointed by MIAL shall register an agreement in favour of the rehabilitated beneficiaries for the constructed rehabilitation built up area and land spared for the same, along with common areas, access, marginal spaces left for the building, immediately after the final occupancy of all beneficiaries in the Rehabilitation Component.

17.10 In respect of those Hutment Dwellers on site, who do not join the project willingly, the following steps shall be taken:

- (i) Provision for all of them shall be made in the Rehabilitation Component of the scheme.

(ii) The details of the actual tenements that would be given to them by way of draw of lots on the same basis as for those who have joined the project, will be communicated to them in writing by the Competent Authority.

(iii) In case of dispute, decision of the Competent Authority shall be final and binding on all the parties concerned.

17.10.1 Hutment Dwellers on site, who do not join the SRS willingly shall be considered for allotment of tenements with due regard to the priority spelt out in Clause 17.2 above.

17.10.2 The transit tenements allotted shall also be earmarked for those slum dwellers that have not joined the SRS.

The transit tenements that would be allotted to such unwilling Hutment Dwellers would also be indicated along with the details of the transit accommodation allotted to those who have joined the SRS.

17.10.3 Action under the provisions of the Slum Act, 1971, including section 33/ 33A and 38 of the said Act shall be taken against any Hutment Dweller who is not willing to join the SRS within 15 days after approval on site has been granted for the SRS. The hutment of such a Hutment Dweller shall be removed and it shall be ensured that no obstruction is caused to the SRS.

In case of any Hutment Dweller not joining the scheme within 15 days after the approval has been granted to the SRS on a site, the action under the provisions of the Slum Act as amended from time to time, shall be taken and their hutments shall be removed. Further, and it shall be ensured that no obstruction is caused to the SRS.

17.10.4 Any slum dweller not joining the scheme till the building permission to the SRS is given, shall completely lose the right to any rehabilitation tenement, and their rehabilitation tenement shall be taken over by MIAL/ Competent Authority and used for the purpose of accommodating pavement dwellers and other slum dwellers which cannot be rehabilitated in-situ. At this stage the non-participating slum dwellers shall lose their right to rehabilitation.

17.11 The Managing Committee of the proposed as well as registered Co-operative Housing Society of Hutment Dwellers shall have women members as per provisions of Maharashtra Co-operative Society Act, 1960.

17.12 The Competent Authority shall issue Identity Cards to each rehabilitated family in the name of the head of the family, jointly with his/ her spouse, if applicable. Selling/ Transfer/ Rent/ Lease of the rehabilitation tenement shall not be allowed for a period of 10 years (except to their heirs) from the date of possession of the tenement. In case of breach, the Competent Authority shall cancel the allotment in respect of the Hutment Dweller and take over the tenement. These conditions shall appear on the identity card as well.

18. Building Permission under SRS—

18.1 For the Slum Rehabilitation Schemes to be implemented under the provisions of this Appendix, MIAL shall finalize the schemes for inviting tenders and also evaluate the technical as well as the financial bids for the same, on the basis of which the MIAL will take final decision regarding selection of the suitable developer for implementation of such SRS.

18.2 The approval to any SRS shall be given by the Competent Authority within a period of 60 days from the date of submission of proposal, complete in all respect along with all relevant documents. In the event of a failure by the Competent Authority to do so, the said approval shall be deemed to have been granted, provided the SRS is strictly in accordance with the provisions in this Appendix.

18.3 The Competent Authority while granting the approval to any SRS may lay down such terms and conditions not inconsistent with the provisions of this Appendix as may be deemed necessary in interest of MIAL or effective rehabilitation of Hutment Dwellers.

19. Payments to be made to MMRDA/ SRA / MCGM/ any Local Authority/ any Planning Authority

Provisions of DCPR 2034 or UDCPR shall be applicable as regard payments to be made to MMRDA/ SRA/MCGM/ any Local Authority/ any Planning Authority.

20. Transferable Development Rights.—The TDR generated at CSMIANA from implementation of SRS under this Regulation shall be available to developer for use anywhere in Greater Mumbai. Provided that this Regulation shall be in consonance with the respective provision in DCPR 2034 or UDCPR.

20.1 Development Rights Certificate (DRC) for the TDR shall be issued by the Municipal Commissioner, MCGM, himself/or the administrative head of any planning Authority under UDCPR on a recommendation made by the Competent Authority in this regard. The FSI credit in square meter of built-up area will be stated in figures and in words along, with the particulars of the place where TDR is earned.

20.2 When a buildable amenity on the reserved plot for which Slum Rehabilitation Scheme is sanctioned and handed over free of cost to the Planning Authority, such Planning Authority may grant a further TDR due for the construction of the said amenity.

20.3. A DRC will be issued only on the satisfactory compliance with the conditions prescribed in this Appendix.

20.4. If developer or the holder of a DRC intends to transfer it to any other person he will submit it to the Municipal Commissioner, MCGM/ or administrative Head of any Planning Authority under UDCPR, as the case may be, with an appropriate endorsement of the new holder's name. Without such endorsement by the Municipal Commissioner, MCGM himself/ or administrative Head of any Planning Authority himself under UDCPR, the transfer shall not be valid, and will be available for use only by the original holder.

20.5. Developer or the holder of a DRC who desires to use the FSI credit certified therein on a particular plot shall attach to his application for development permission, valid DRCs to the extent required.

20.6. Irrespective of the location in which they originate, DRCs may be used anywhere within the jurisdiction of MCGM as per indexation as per the formula given in DCPR 2034. However DRCs originating in MMR, other than the area within the jurisdiction of MCGM, may be used as per provisions of UDCPR.

20.7. The DRCs generated under this Regulation may be used as per the provisions of DCPR 2034/ UDCPR.

20.8. A DRC shall not be valid for use on receiving plots in the areas listed in the related Regulations of DCPR 2034 / UDCPR.

20.9 Procedure relating to issue of TDR under DCPR 2034/ UDCPR shall be applicable as the case may be.

PART- III

21. Contributory Rehabilitation Scheme for Non-Protected Hutment Dwellers—

21.1 MIAL may, at its discretion, implement one or more Contributory Rehabilitation Schemes for rehabilitation of Hutment Dwellers of Slums or Slum Rehabilitation Areas in CSMIANA who are non-protected as per Clause 2.19, wherein any individual Non-Protected Hutment Dweller may, in lieu of his slum structure, be provided a residential rehabilitation tenement having a carpet area of 27.88 sq. m (300 sq. ft). Such Rehabilitation tenement will be

provided on payment of such contribution by the concerned Non-Protected Hutment Dweller, as the Competent Authority may specify.

However the 25 sq. m. (269 sq. ft.) carpet area tenement already constructed and available with MIAL, may be offered to Hutment Dwellers and they will not be compensated or given the difference between 27.88 sq. m. (300 sq. ft.) and 25 sq. mt. (269 sq. ft.).

21.2 The Non-Protected Hutment Dwellers shall not be preferably rehabilitated in-situ but in other available plots procured or arranged by MIAL, outside CSMIANA and anywhere in MMR.

21.3 The Competent Authority shall finalise list of “Non-Protected Hutment Dwellers” for whom Contributory Rehabilitation Scheme is proposed to be implemented by MIAL and it shall be obligatory for all the listed families of Non-Protected Hutment Dwellers to participate in such Scheme.

21.4 Subject to approval of the Competent Authority, the decision of MIAL shall be final and binding on all concerned parties regarding the location of plots for rehabilitating the “Non-Protected Hutment Dwellers”.

21.5 For commercial/ office/ shop/ economic activity upto 20.90 sq. m (225 sq. ft.), carpet area or actual area, whichever is less, shall be provided to the Non-Protected Hutment Dwellers. Industrial users may be provided a commercial unit in the Rehabilitation Component as applicable to a commercial unit.

21.6 Where a person has both residential and commercial, for commercial/ office/ shop/ economic activity in the Slum/ Pavement, he shall be considered eligible for residential/ commercial unit but for commercial/ office/ shop/ economic activity carpet area of such unit shall not exceed 27.88 sq. m (300 sq. ft.).

PART IV

22. General Provisions.—

22.1 Eligibility criteria for the developer shall be decided by MIAL, which shall include, inter alia, solvency certificate of such amount as may be decided by MIAL.

22.2 MIAL may decide the appropriate policies for effective implementation of the provisions in this Appendix. MIAL shall formulate and adopt appropriate procedure and policies in this regard from time to time.

22.3 The fees for scrutiny of layout/ building permission etc. shall be as decided by the Competent Authority and it shall be revised from time to time. However, this fee shall not exceed the fee charged by SRA for this purpose.

22.4 In specific cases where genuine hardship is clearly demonstrated, the Competent Authority may grant relaxations wherever necessary for reasons to be recorded in writing in order to make the SRS viable.

22.5 In case of any ambiguity or doubt regarding interpretation of the provisions contained in this Appendix, the decision of the State Government shall be final and binding on all concerned parties.

22.6 If there is any conflict between the provisions of this Appendix and DCPR 2034 or UDCPR, provisions of this Appendix shall prevail.

22.7 Subject to approval by the Competent Authority, the decision of MIAL shall be final and binding on all concerned regarding the proportion and location of the land area to be used for the Rehabilitation Component.

22.8 It shall be permissible to implement SRS on an encumbered or vacant plot in CSMIANA and anywhere in MMR, except hilltops, hill slope etc. wherever construction is not permissible.

22.9 After date of coming into force of this Regulation, any change in provisions regarding the Slum Rehabilitation in DCPR 2034/ UDCPR shall be deemed to be incorporated in this Appendix, if so opted by MIAL at its sole discretion but subject to prior approval from Government of Maharashtra.

NIRMALKUMAR CHAUDHARI,
Under Secretary to Government.

URBAN DEVELOPMENT DEPARTMENT
Mantralaya, Mumbai 400032, dated the 29th June 2021.

NOTIFICATION

No.TPB 4314/626558/CR-168/2014/UD-11.—Whereas, the Government in Urban Development Department, *vide* Notification No.TPB 4308/3709/CR-347/08/UD-11, dated the 14th May 2009, under section 40(1)(c) of the Maharashtra Regional and Town Planning Act,1966 (Mah. XXXVII of 1966) (hereinafter referred to as “the said Act”) has appointed the Mumbai Metropolitan Region Development Authority (hereinafter referred to by its acronym “MMRDA”) established under the Mumbai Metropolitan Region Development Authority Act,1974 (Mah. IV of 1975) to be the Special Planning Authority for the Chhatrapati Shivaji International Airport (CSIA) Notified area bounded by the Airport ;

And whereas, the Government in the Urban Development *vide* Notification No. CMS/TPB-4312/1/CR-47/2012/I/UD-11, dated the 17th May 2013, has sanctioned Interim Development Plan for a part of Chhatrapati Shivaji International Airport Notified Area(hereinafter referred to as “ CSIANA”) alongwith Development Control Regulations, (hereinafter referred to as “the said Regulations”) excluding the substantial modifications, specified as EP-1, EP-2 in SCHEDULE-A, appended thereto, and has subsequently sanctioned the said modifications of substantial nature *vide* Notification No. TPB 4313/1267/CR-183/2013/UD-11,dated 3rd March 2014 ;

And whereas, CSIANA comprises large areas under slums, which pose a grave security threat, being located in close vicinity of aircraft operations. And whereas, Hon’ble Minister of Civil Aviation, Government of India, *vide* his letter dated the 22nd July 2014 while expressing deep concern about the security threat posed by the existence of slums in close proximity of airport operations at CSIA, has informed the State Government that the Airport Authority of India has given ‘in principle’ approval for in-situ rehabilitation of slums in CSIANA and requested for formulation and implementation of Airport specific Slum Rehabilitation Scheme for all slum dwellers in CSIANA ;

And whereas, the Government in view of the aforesaid request, is satisfied that in the public interest it is desirable to urgently incorporate specific Regulation regarding implementation of slum rehabilitation scheme in the said Regulation, for which it is necessary to urgently carry out suitable modification in the said Regulations ;

And whereas, after considering the above facts and circumstances and in exercise of the powers conferred by sub-section (1AA) of Section 37 of the said Act and all other powers enabling in that behalf, Government of Maharashtra has published a Notice of even number dated 9th September 2014 (hereinafter referred to as “the said Notice”) for inviting objections/ suggestions from the general public with regard to the modification for insertion of new Regulation 68 in the said Regulations as specifically described in the Schedule appended thereto (hereinafter referred to as “the proposed modification”) and appointed the Deputy Director of Town Planning, Greater Mumbai as the officer (hereinafter referred to as “the said Officer”) to submit a report on the objections/ suggestions received in respect of the proposed modification to the Government after giving hearing to the concerned persons and the said Authority ;

And whereas, the said Notice was published in the *Maharashtra Government Gazette* (Extra ordinary Gazette- Kokan Division supplement) (hereinafter referred to as “the Official Gazette ”)

dated 9th September 2014 and the said Officer has submitted his Report *vide* letter dated 16th April, 2015 through the Director of Town Planning, Maharashtra State, after completing the legal procedure as stipulated under Section 37(1AA) of the said Act. ;

And whereas, after considering the Report of the said Officer and after consulting the Director of Town Planning, Maharashtra State, the Government is of the opinion that the proposed modification is required to be sanctioned with changes.

Now, therefore, in exercise of the powers conferred upon it under section 37(1AA)(c) of the said Act, the Government hereby :—

(A) Sanctions the proposed modification as described more specifically in the Schedule attached herewith.

(B) Fixes the date of publication of this Notification in the *Official Gazette* as the date of coming into force of this modification.

(C) Development Control Regulations for Chhatrapati Shivaji International Airport Notified Area (CSIANA or CSIA Notified Area) are renamed as Development Control Regulations for Chhatrapati Shivaji Maharaj International Airport Notified Area (CSMIANA or CSMIA Notified Area)

(D) Directs the Metropolitan Commissioner, MMRDA that in the Schedule of Modifications sanctioning the said Development Control Regulations for CSMIANA, after the last entry, the Schedule referred to at (A) above shall be added.

This Notification is also made available on the Government of Maharashtra website : www.maharashtra.gov.in (Acts& Ruls)

By order and in the name of the Governor of Maharashtra,

NIRMALKUMAR P. CHAUDHARI,
Under Secretary to Government.

SCHEDULE

(Appended to Government in Urban Development Department's Notification No.TPB 4314/626558/CR-168/2014/UD-11, dated the 29th June 2021)

Development Control Regulations for Chhatrapati Shivaji International Airport Notified Area (CSMIANA or CSMIA Notified Area) are renamed as Development Control Regulations for Chhatrapati Shivaji Maharaj International Airport Notified Area (CSMIANA or CSMIA Notified Area)

The following new Regulation is inserted in the Development Control Regulations for Chhatrapati Shivaji Maharaj International Airport Notified Area (CSMIANA).

Regulation 68 of Development Control Regulations for Chhatrapati Shivaji Maharaj International Airport Notified Area (DCR CSMIANA).

MIAL may undertake Rehabilitation of all hutment dwellers in the slums located in CSMIA Notified Area by implementing one or more Slum Rehabilitation Schemes (SRS) and, if necessary, one or more Contributory Rehabilitation Schemes (CRS) , in accordance with the provisions contained in the Appendix-A to these Regulations.

APPENDIX-A**Part – I****1. Applicability of Provisions**

Provisions of this Appendix under Regulation 68 shall be applicable to :—

1.1 The slums which have been declared and notified as “Slums” by the Metropolitan Commissioner, MMRDA (hereinafter referred to as the Competent Authority) under the provisions of Maharashtra Slum Areas (Improvement, Clearance & Redevelopment) Act, 1971 (hereinafter referred to as ‘Slum Act’) and also the encroachments on the existing or proposed roads or encroached areas under electric H.T. power lines or Nalla banks and any partially or fully encroached areas, shown towards any buildable or non-buildable amenities of the Layout plan of the CSMIA Notified Area ; or

1.2 Any area which the said Competent Authority may declare as “Slum Rehabilitation Area”; and to the Hutment Dwellers in such Slums or Slum Rehabilitation Areas.

1.3 Any Slum Rehabilitation Scheme undertaken for rehabilitation of CSMIANA Hutment Dwellers outside of CSMIANA and anywhere in MMR.

1.4 Save and except provision for amenities which shall be as per Development Control and Promotion Regulations for Greater Mumbai 2034 (DCPR 2034) [Regulation 33 (10) (VIII) (8)] or Unified Development Control and Promotion Regulations for Maharashtra State (UDCPR) (applicable regulation) as the case may be. Further, at area out of CSMIANA, applicable provision for reservation for public purpose under DCPR 2034 and UDCPR, as the case may be, shall also be applicable and only ground floor Hutment Dwellers be eligible.

2. Definitions

2.1 Terms and expressions other than those specifically defined herein shall have the same meaning as in :—

- (i) The Maharashtra Regional and Town Planning Act, 1966,
- (ii) National Building Code (2005) as amended from time to time.

2.2 “Censused Slum” shall mean those slums located on lands belonging to AAI/MIAL, and incorporated in the records of the land owning authority as having been censused in 1976, 1980, 1985, prior to 1st January 2000 or Relevant Documents.

2.3 “Slum Rehabilitation Area”.—If any area has been enumerated as Slum in the Census or fulfils the condition laid down in section 3C of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 and is declared and notified as such, the same shall be deemed to be and treated as “Slum Rehabilitation Area”.

Slum Rehabilitation Area shall also mean any area declared as such by the Competent Authority for implementation of the SRS and/or any AAI/MIAL land required for implementation of “Slum Rehabilitation Scheme (SRS)”.

Any area required or proposed for the purpose of construction of temporary transit camps required for execution of SRS approved by the Competent Authority shall also be deemed to be treated as Slum Rehabilitation Areas.

2.4 A “Slum Structure” shall mean the ground floor dwelling areas of all persons who were enumerated as living in that numbered house in the Relevant Documents (as per Clause 2.5) regardless of the number of persons staying therein, or location of rooms in such structure or number of accesses to that structure.

2.5 “Eligible Hutment Dweller” is an actual inhabitant of ground floor of a hutment or Slum Rehabilitation Area referred to in Clause 1 of this Appendix and whose name appears in the Legislative Assembly Electoral Roll with cut-off date of 1st January 2000 or any other prescribed documents by the Competent Authority (herein referred to as the Relevant Documents).

2.6 The “Competent Authority” referred to hereinafter in this Appendix shall mean the Officer appointed under section 3 of the Maharashtra Slum Area (Improvement, Clearance and Redevelopment Act, 1971).

2.7 “Gross Plot Area” shall mean total plot area.

2.8 “Carpet Area” would have the same meaning as defined in Real Estate (Regulation and Development) Act, 2016.

2.9 “Floor Space Index (FSI) or Floor Area Ratio (FAR)” shall mean the quotient of the ratio of the total built up area on all floors, excepting the areas specifically exempted from computation under DCR CSMIANA to the gross area of the plot.

2.10 “Global FSI” means the FSI of the entire area under the SRS, where FSI from one slum pocket may be used at another slum pocket within the area of such SRS.

2.11 “Recreation Ground (RG)” shall mean any common open space required to be kept in any layout and left permanently open to the sky and accessible to all members as a place of recreation.

2.12 “Hazardous Building” shall mean any building or part thereof which is used for the storage, handling, manufacture, or processing of any Hazardous Material. “Hazardous Material” means any material as mentioned in Regulation 1(71) of DCPR 2034.

2.13 “Rehabilitation Component” shall mean the total construction area computed in the Rehabilitation Building(s) for the rehabilitation of Hutment Dwellers in the Slum Rehabilitation Scheme.

2.14 “Amenity Component” shall mean the constructed amenities prescribed by the Competent Authority for rehabilitation of the Hutment Dwellers in the Slum Rehabilitation Scheme.

2.15 “Annual Schedule of Rates (ASR)” is the average statement of rates prepared annually by Inspector General of Registration and Controller of Stamps, Maharashtra State, Pune.

2.16 “AAI” means Airports Authority of India.

2.17 “Airport Specific Rehabilitation Scheme” means Slum Rehabilitation Scheme (SRS) under this Appendix which includes Contributory Rehabilitation Scheme for Non-Protected Hutment Dwellers.

2.18 “Hutment Dwellers” means inhabitants of the Slum or Slum Rehabilitation Area, such Hutment Dwellers may be Eligible Hutment Dwellers or Non-Protected Hutment Dwellers.

2.19 “Non-Protected Hutment Dweller” is an occupant of ground floor in Slum or Slum Rehabilitation Area on or before 1st January 2011 but after 1st January 2000. Determination of date of occupancy for the purpose of an inhabitant to be declared as Non-Protected Hutment Dweller shall be based on documents prescribed by the Competent Authority. Rehabilitation of such Hutment Dwellers shall be governed by the provisions of Part III of this Appendix.

2.20 “MIAL” in this Appendix means Mumbai International Airport Limited and, subject to context, includes any developer, agency or representative duly appointed by it, hereinafter referred to as MIAL / developer.

2.21 “Pavement” shall mean any Municipal/Government/Semi Government pavement and shall include stretch of the pavement as may be considered viable for the purpose of the SRS.

2.22 “Rehab BUA” means total of actual built up area required to rehabilitate residential, commercial and residential-cum-commercial tenements in SRS.

2.23 “Slum Rehabilitation Authority” means the Authority appointed by the State Government under section 3A or under any other applicable provision of Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971. For Slum Rehabilitation Scheme under this Appendix, Slum Rehabilitation Authority shall be Metropolitan Commissioner, Mumbai Metropolitan Region Development Authority (MMRDA).

2.24 “Transferable Development Rights (TDR)” shall have the same meaning as per DCPR 2034 or UDCPR as the case may be.

2.25 MMR means Mumbai Metropolitan Region as notified under MMRDA Act, 1974.

PART-II

3. Slum Rehabilitation Scheme (SRS)

3.1 Slum Rehabilitation Scheme.—Slum Rehabilitation Scheme shall mean an Airport Specific Slum Rehabilitation Scheme for rehabilitation of Eligible Hutment Dwellers of one or more slum areas at CSMIANA, in accordance with the provisions of this Appendix and shall include transit camps, infrastructure, amenities, rehabilitation component of the development, as permitted on the area of SRS by the Competent Authority which shall be competent to approve the Slum Rehabilitation Schemes under this Regulation, being the Planning Authority and Competent Authority for the CSMIA Notified Area. SRS shall also include Contributory Rehabilitation Scheme for Non-Protected Hutment Dwellers.

3.2 Mumbai International Airport Limited (MIAL) may implement one or more Slum Rehabilitation Schemes (SRS) for rehabilitation of Hutment Dwellers either directly or by appointing a developer.

3.3 MIAL may use any of the following options for rehabilitation of Hutment Dwellers.

3.3.1 Eligible Hutment Dwellers may be rehabilitated by relocation to another location but within CSMIANA or outside CSMIANA or both but within MMR as per provisions of this Appendix. Such rehabilitation shall take place as per the provisions of this Appendix.

3.3.2 Hutment Dwellers may also be rehabilitated by relocation to any alternative location, as far as possible within the limits of Greater Mumbai or in the Mumbai Metropolitan Region (MMR). Such ex-situ Rehabilitation shall take place as per the provisions of this Appendix and further subject to the provisions of the Development Control Regulations applicable to such alternative areas.

For the purpose of rehabilitation of Hutment Dwellers of CSMIANA, MIAL may utilise vacant plots at CSMIANA or may acquire or purchase additional land, adjacent to CSMIANA or elsewhere in the MMR. For such ex-situ rehabilitation of Hutment Dwellers within the limits of MMR, MIAL shall be eligible for land TDR of 2 times of land area used for such ex-situ rehabilitation.

3.4 The procedure to be adopted for the implementation of any Slum Rehabilitation Scheme (SRS) shall be as per the provisions of this Appendix.

4. Eligibility for Rehabilitation under Slum Rehabilitation Scheme

4.1 Inhabitants of the slums or Slum Rehabilitation Areas referred to in Clause 1 of this Appendix, whose names appear in the Relevant Documents, shall be eligible for allotment of rehabilitation tenement as per the provisions of this Appendix.

4.2 Subject to the foregoing provisions, only the actual occupants of the hutments shall be treated as eligible for rehabilitation under the SRS and any person claiming ownership of such structure who is other than the actual occupant, shall have no right whatsoever to allotment of rehabilitation tenement even if his name is shown in the Relevant Documents.

4.3 Any Hutment Dweller whose name appears in the Relevant Documents and who is an actual occupant of such hutment shall not be held eligible for rehabilitation if his name is also included in any other electoral roll of any other non-slum area.

5. Contributory Rehabilitation Scheme (CRS)

MIAL may implement one or more Contributory Rehabilitation Schemes to rehabilitate Non-Protected Hutment Dwellers as per Clause 2.19, by procuring tenements from the market or buying tenements constructed under any Scheme of the State Government or the Central Government or by constructing tenements as per the provisions of Part III of this Appendix, anywhere in the MMR.

6. Joint Ownership of Rehabilitation Tenement with Spouse

The rehabilitation tenement under SRS or CRS shall be jointly owned by the Pramukh Hutment Dweller and the spouse, if applicable. The details of the ownership including Share Certificate and other relevant documents, shall be so entered and shall be deemed to be entered in the records of the Co-operative Housing Society (CHS), to be formed after the allotment of rehabilitation tenements to the Hutment Dwellers in the completed Rehabilitation Building(s).

7. Denotification as Slum Rehabilitation Area

The Competent Authority for the SRS shall denotify partly or fully the Slum Rehabilitation Area as per provisions of the Slum Act, 1971, on being satisfied that it is necessary to do so or when directed by the State Government.

8. The following provisions shall apply to construction of accommodation for rehabilitation of Hutments Dwellers/ Pavement dwellers under SRS to be executed by MIAL either directly or through a developer.

8.1 Eligible Hutment-Dweller, in the Slum or on the Pavement, shall, in lieu of his residential structure, be given free of cost a residential tenement, having a carpet area of 27.88 sq. m. (300 sq. ft.), which shall include living room, bedroom kitchen / alcove, bath and water closet, but shall exclude common areas.

However the 25 sq. m. (269 sq. ft.) carpet area tenement already constructed and available with MIAL, may be offered to Hutment Dwellers and they will not be compensated or given the difference between 27.88 sq. m. (300 sq. ft.) and 25 sq. m (269 sq. ft.).

Where a person has both residential and commercial premises without common wall between residential and commercial premises, for commercial/ office/ shop/ economic activity in the Slum/ Pavement, he shall be considered eligible for a residential/ commercial unit including BUA for commercial / office/ shop/ economic activity both free of cost and carpet area of such unit shall not exceed 27.88 sq. m. (300 sq. ft.).

The eligible existing area under commercial/ office/ shop/ economic activity shall be computed on the basis of official documents such as Licence under the Shops and Establishment Act, electricity bills, photo pass etc.. BUA for commercial/ office/ shop/ economic activity upto 20.9 sq. m. (225 sq. ft.) carpet area or actual area whichever is less shall be provided to the Hutment Dweller as part of the SRS. For Industrial user, the Hutment Dweller may be provided a commercial unit in the Rehabilitation Component as applicable to a commercial unit.

8.2 Pavement-dwellers and Hutment Dwellers in the slum situated on lands required for airport development, vital public utility/ purpose or on the hazardous location or on amenity spaces / open spaces plots shall not be rehabilitated in-situ but in other available plots.

8.3 Commercial godowns, Cowsheds/ gothas, scrap godowns/ yards; hazardous users/ structures shall not be permitted in the SRS. These shall be evicted and shall be moved away from the Slum Rehabilitation Area as nonconforming uses.

8.4 For the approval of the SRS, consent of the concerned slum dwellers shall not be necessary. The Competent Authority shall finalise the list of Hutment Dwellers on the declared Slum Rehabilitation Area with reference to area proposed under the SRS; and it shall be obligatory on all Hutment Dwellers to participate in the Slum Rehabilitation Scheme, once the same is approved by the Competent Authority.

8.5 MIAL or developer appointed by MIAL shall enter into an individual agreement with the Eligible Hutment Dweller of each structure in the slum area under the SRS. The agreement will be in the joint name of Pramukh Hutment Dweller and spouse, if applicable, for every structure.

9. Building Permission under SRS and Release of TDR

9.1 Approval to the Airport Specific Slum Rehabilitation Schemes for CSMIANA under this Appendix shall be granted by the Competent Authority.

9.2 The Competent Authority shall approve the proposal for the SRS along with the list of Hutment Dwellers.

9.3 On compliance with the terms and conditions for approval to the SRS, and the requirements of DCR CSMIANA, the necessary building permission under section 45 of MRTP Act, 1966, shall be admissible in accordance with these provisions for constructing the Rehabilitation Component of the SRS and release of TDR as per the provisions in this Appendix and DCR CSMIANA.

9.4 Release of TDR shall be linked to the stages of construction of Rehabilitation Component as per Table 2 :—

Table 2

S. No.	Stage of Construction of Rehabilitation Component	Percentage of release of TDR
(1)	(2)	(3)
1	After completion of rehab plinth work	25%
2	After completion of rehab R.C.C.work	25%
3	After completion of rehab masonry and plaster work.	25%
4	After completion of all rehab work with Occupancy Certificate and also handing over of the same to MIAL	25%

9.5 MIAL or the developer appointed by MIAL shall deposit with the Competent Authority an amount of Rs. 40,000 for each tenement including welfare hall(s) and balwadi(s) in the Rehabilitation Component of the SRS.

9.6 MIAL or the developer appointed by MIAL shall pay an amount of Rs. 1,000 per sq. m. as “Infrastructure Charge” for the Built-up area under the SRS, over and above the Base FSI of 1.0, for the Rehabilitation Component under the SRS. 90% amount will go to the concerned Local Authority and 10% amount will remain with the competent Authority.

10. Rehabilitation Component and TDR—

10.1 Admissible FSI for the Slum Rehabilitation Scheme shall be the admissible FSI for the Rehabilitation Component. The ratio between Rehabilitation Component and TDR shall be as mentioned in Clause No. 10.4.

10.2 The Rehabilitation component shall mean the total built-up area of all residential tenements as well as non-residential built-up premises required for rehabilitation of the Hutment Dwellers in accordance with the provisions of this Appendix and DCR CSMIANA or UDCPR, including what is set down in Clauses 10.8.1, 13.8.1, 15.2, 15.3, of this Appendix. Built-up area for Rehabilitation component shall include the total construction area of Rehabilitation component including areas under passages, balwadis, welfare centres, office of the Co-operative Housing Society of Hutment Dwellers.

10.3 The Rehabilitation Component shall include all rehabilitation tenements for Residential/Residential + Commercial/ Commercial users and what is set down in Clauses 10.8.1, 13.8.1, 15.2, 15.3.

10.3.1 For computation of Rehabilitation Component, it shall exclude what is set down in DCR CSMIANA or UDCPR except Meter Room, Pump Room and Fire-Control Room.

10.4 For each 10 sq.m of the built-up area under the Rehabilitation Component, TDR shall be as per Table 3.

Table 3

S. No.	Rehabilitation Component	TDR
1	10.00 Sq.mtr.	11.00 Sq.mtr.

10.5 Maximum FSI admissible on the gross plot area of the SRS shall be 4.00 or the FSI required to construct the Rehabilitation Component, Amenity Component under the SRS, whichever is higher.

10.6 On submission of development proposal to the Competent Authority, it shall be obligatory to obtain no objection certificate from MIAL, subject to approval by the Competent Authority in consultation with MIAL, the decision of MIAL shall be final and binding on all

concerned regarding the proportion and location of the land area to be used for the Rehabilitation Component and Amenity Component.

10.7 The admissible FSI and development in CRZ Area shall be governed by the MOEF&CC Notifications issued from time to time.

10.8 The areas exempted from computation of FSI shall be as per provisions of this Appendix and DCR CSMIANA or UDCPR, and subject to Clause 10.8.1 herein below, while the areas referred to in Clauses 13.8.1, 15.2, and 15.3 of this Schedule shall not be included for computation of FSI.

10.8.1 Carpet area admeasuring 27.88 sq. m. of the rehabilitation tenement shall include the area of the balcony, if any, and the same shall be counted towards FSI calculation.

10.8.2 Subject to maximum height permissible by AAI, it shall be mandatory for the developer to provide minimum density of 500 Tenement/Ha. on the net plot area for rehabilitation of Hutment Dwellers.

10.9 CSMIANA Plots identified to be part of the SRS shall be available for the SRS in accordance with their 'use' as shown in the CSMIANA Layout/Interim DP Plan. It shall be permissible to implement SRS on any encumbered CSMIANA plot, in CSMIANA Layout plan.

10.10 Any land declared as SRS area shall be notionally treated as one plot, even if it is spread on part or parts of boundary of different CTS Nos. or Survey Nos. Separate approval shall not be necessary for such deemed amalgamation and such notionally amalgamated plot shall be treated as a single plot for the purpose of FSI computation. However such an amalgamation shall not include existing nalla, water body or transmission line zone if any.

10.11 All the plots involved in any SRS under which rehabilitation of Hutment Dwellers is envisaged under Clauses 3.3.1 shall be notionally treated as one, for the purpose of computation of FSI.

10.12 The areas of plots under the SRS shall be certified by the Competent Authority after actual on-site measurement of the areas of plots. Such certified boundaries and areas of plots shall be the basis adopted for planning purposes, for calculation of tenement density and FSI and other aspects of planning.

10.13 At the time of granting approval to the Slum Rehabilitation Scheme (SRS), the land earmarked for SRS area may be further sub-divided, if necessary, to carve out separate plots for the Rehabilitation Component and the Amenity Component. Both, the Plot area and the Built-up area of the said plots shall be treated as independent plots and mentioned separately in sq. m. in the lease agreements.

11. Temporary Transit Tenements

11.1 The Temporary Transit Tenements for rehabilitation of Hutment Dwellers may be allowed to be constructed by MIAL or the developer appointed by MIAL, on Rehabilitation site itself, or on any other land located within CSMIANA or elsewhere in MMR. "Transit Tenement" shall mean habitable residential accommodation constructed from detachable material such as tubular/ prefabricated light structures or such other material. Such temporary structure must be constructed in such a manner that it ensures safety of the inhabitants. Design criteria for structural elements of transit camps shall be similar to those of the rehabilitation tenements, however, the area shall remain the same as for regular building components with a minimum carpet area of 16.72 sq. mt. (180 sq. ft.) for each transit tenement.

11.2 Multi-storeyed temporary transit tenements may be allowed to be constructed on any suitable plot within SRS area with prior permission of the Competent Authority.

11.3 The area of temporary transit tenements shall be excluded from the computation of FSI.

11.4 Building permission for the Temporary Transit Tenements shall be given within 30 days from the date of application by MIAL/developer, subject to the following conditions:—

11.4.1 Building permission for the temporary transit tenements to be erected shall be given by the Competent Authority on the plot earmarked for such purpose by MIAL (hereinafter referred to as Transit Plot) and the Temporary Transit Tenements shall remain on such plot only for the duration of the SRS as approved by the Competent Authority on the basis of the time required for construction of the Rehabilitation tenements.

11.4.2 MIAL/developer shall provide necessary infrastructure for services like water, electricity, etc. for the temporary transit tenements.

11.5 Construction of Temporary Transit Tenements may be allowed on any existing vacant land within the CSMIANA, including any site of Amenity Space/ Open Space, with the prior permission of the Competent Authority.

11.6 The Temporary Transit Tenements shall be demolished by MIAL/developer within the time period prescribed by the Competent Authority unless such time period is extended further as per Clause 11.4.1 above.

11.7 If the MIAL/developer fails to demolish the temporary transit tenements as per Clause 11.6, the Competent Authority shall demolish the temporary transit tenements, in which case, all the costs pertaining to demolition and removal of debris shall be recovered from the MIAL/developer, along with additional penal amount as determined by the Competent Authority.

11.8 If the development in the SRS takes place in a phase-wise manner as per the plan approved by the Competent Authority requiring repeated use of Temporary Transit Tenements, then for the final phase of implementation of the SRS, only a Provisional Occupancy Certificate shall be given for a period not exceeding 60 days, during which time MIAL/ developer shall ensure that all the hutment dwellers are shifted from Temporary Transit Tenements to their allotted Rehabilitation tenements. The MIAL/developer shall also ensure all the Temporary Transit Tenements are demolished and debris and other material, removed from the site. Occupancy Certificate for final phase of implementation of the SRS development shall only be granted when all the Temporary Transit Tenements have been demolished and the Transit Plot site has been cleared to the satisfaction of Competent Authority.

12.0 Rehabilitation Entitlements for Industrial/Commercial/ Business/ Office Users

12.1 The built-up area for Commercial/ Industrial user (for example business/ office/ shop) that existed prior to 1st January 2000 in the Rehabilitation Component, shall be admissible to the concerned person, subject to the provisions in the Clause 12.2 below. In case a Hutment Dweller has both, residential and commercial premises within the area of SRS without a common wall between such residential and commercial premises, in the slum/ pavement, in respect of which the SRS is being or is to be implemented, he shall be eligible for a residential tenement of 27.88 sq.m carpet area free of cost.

12.2 The existing area under Residential+ Commercial/ Commercial/ Industrial uses shall be computed on the basis of actual measurement and production of official documents such as Licence under the Shops and Establishment Act and Electricity bills or any other document as prescribed by the State Government from time to time. The admissible rehabilitation built-up area for commercial/ office/ shop/ economic activity user in the Slum/ Pavement that existed prior to 1st January 2000 as reflected in the Relevant Documents shall be based on the actual area or 20.9 sq. mt. (225 sq. ft.) carpet area whichever is less.

12.3 All existing industrial users may be provided a commercial unit in the Rehabilitation Component as applicable to a commercial unit.

12.4 Commercial/ office/ shop/ economic activity may be allowed to be constructed on any side of the plot abutting minimum 3 m wide pathway and deriving access from minimum 3 m wide

pathway. Back-to-back shopping on ground floor shall also be allowed for the purpose of rehabilitation. In case the plot is fully constructed at the ground level as per the provisions above, similar constructions may be permitted on the 1st floor if needed. These provisions may be allowed on the first floor, to the extent found necessary.

12.5 All activities which existed as on date of eligibility shall be allowed to be relocated within the area of the SRS, except those activities which are hazardous and polluting (as mentioned in Clause 8.3). Further relocation of such hazardous and polluting activities shall not be permitted within SRS.

13. Relaxation in Building and Other Requirements

13.1 The ratio between the length of the pathway and the width thereof shall be as follows:—

Length	Width
Up to 75 m	6.0 m
above 75 m	7.5 m

13.1.1 Between the dimensions prescribed for the pathway and the marginal distances, the larger of the two shall prevail. The pathway shall serve as access wherever necessary. The construction of buildings may be permitted abutting the pathways.

13.2 For a building having height upto 32 m in the rehabilitation component the front and marginal open space shall be 3.0 m and in case of such buildings having height more than 32m. the minimum marginal open space shall be 6.0 m or as may be prescribed by Chief Fire Officer, MCGM or other relevant Municipal authority.

13.2.1 For the plot abutting a road having width of 18 m or above, the front marginal open space shall be at least 6 m., provided the road is not a Classified Road.

13.2.2 The distance between any two rehabilitation buildings shall not be less than 6 m.

13.3 The following areas, shall not be counted towards the “Open Spaces”:—

- (a) land under Nallas
- (b) land under cart tracts
- (c) land under transmission lines, telephone lines and corridors left for such services

13.3.1. The provisions in DCR CSMIANA relating to balcony shall apply to the SRS, subject to the condition that the balcony shall not reduce marginal open space to less than 1.5m.

13.3.2. Norms for the clear distance to be kept from water courses shall be governed by the provisions of DCR CSMIANA and the norms for the clear distance to be kept from HT electric lines shall be governed by the requirements of Central Electricity Authority / Electricity Act 2003/ DCPR 2034/ UDCPR, as amended from time to time.

13.3.3. Where the plot abuts a nalla, the marginal open space along the nalla shall not be insisted upon beyond 3 m from the edge of the trained nalla.

13.4. Parking - Common parking lots shall be provided as per the norms specified in DCR CSMIANA or this Appendix. Any relaxation required may be granted as per the provisions contained therein. However, 25% additional parking lots required for areas in the Mumbai Metropolitan Region shall not be insisted upon for the SRS.

Provision for Parking shall be as follows :

- (a) Residential:
 - (i) one car parking per 8 tenements having carpet area upto 45 sq. mt. each, or

(ii) one parking space per tenements for two wheeler shall be provided, above parking spaces may be provided in any combination. Parking for visitors may be provided to the extent of maximum 5% of the number stipulated above, subject to minimum one parking.

(b) Commercial: one parking for every 150 sq. mt. of floor area or part thereof. Provided that no parking space need to be provided floor area upto 50 sq. mt.. Parking for visitors may be provided to the extent of 5% of the number of parking stipulated above, subject to minimum one parking.

13.5 Requirements of parts of buildings shall be governed as per the following provisions :

13.5.1 Plinth - The minimum plinth height shall be 45 cm and in flood prone areas, the plinth shall be at least 30 cm higher than the Highest Flood Level.

13.5.2 Habitable Rooms - The minimum width for any habitable room shall not be less than 2.4 m.

13.6 Kitchen: Separate kitchen shall not be necessary, and cooking space (alcove) shall be allowed without any minimum size restriction. Where kitchen is provided, the minimum width shall be 1.5 m.

13.7 Bathroom and Water Closets: Bathrooms and Water Closets shall be governed by the provisions made in DCR CSMIANA.

13.7.1 In a Water Closet, flushing cisterns may not be essential and toilets without this provision may be permitted. Water closet seat shall be of a minimum length of 0.46m (18 inches).

13.8 Common Areas :

13.8.1 Common Passage –

13.8.1.1 The minimum width of Common Passage in the Rehabilitation Component shall be 1.5 m.

13.8.1.2 The area of common passage not exceeding 2.0 m in width provided in Rehabilitation Component, shall not be counted towards the computation of FSI.

13.8.1.3 If podium is proposed, the corridors having a width of 6.0 m or less formed under the podium for Rehabilitation of Commercial/ Industrial units under Rehabilitation Component and Amenities, may be up to a width of 6.0 m and shall not be counted towards computation of FSI. RG required under these Regulation shall not be provided on podium.

13.9 Stairways –

13.9.1 The minimum width of each flight, mid-landing and corridor of the staircase shall not be less than 1.5 m for building height upto 70 m and 2 m for building height above 70 m.

13.9.2 No flight shall contain more than 12 risers, but in residential buildings, in narrow plots and High Density Housing a single flight staircase may be permitted.

13.9.3 The minimum height of all risers shall be 15 cm and maximum 17.5 cm. in a residential building.

13.9.4 The minimum width of the tread without nosing shall be 25cm. for any staircase of a residential building, other than stairs provided in fire escapes.

13.9.5 The minimum head-room in a passage under the landing of a staircase and under the staircase shall be 2.2 m.

13.9.6 The ordinal number of each floor shall be conspicuously displayed, painted in figures of the size of at least 15 cm. on the wall facing the flights of a stairway or at such suitable place as is distinctly visible from the flights.

13.9.7 Handrails or parapet wall having a minimum height of 0.9 m. from the centre of the treads shall be provided

13.10 Lifts

13.10.1 In case of buildings having a height of more than 32 m, at least two lifts shall be provided, one of which shall be capable of accommodating a stretcher.

13.10.2 Provisions of Lifts for people as well as accommodating stretcher, in any building under the Rehabilitation Component shall be as per the Table 5 below:

Table 5

S.No.	Height of Building	<u>Minimum No. of lifts</u>	
		General	Stretcher
1	Up to G+4	—	—
2	Up to G+9	1	—
3	Up to G+15	1	1

13.11 Floor Height - The minimum clear floor height of rehabilitation tenement room shall be 2.75m (finished floor to finished ceiling) and any toilet shall have a clear minimum floor height of 2.40m.

13.12 All Regulations mentioned hereinabove under Clauses 13.1.1, 13.2, 13.2.1 shall be applicable to the buildings under the Rehabilitation Component under SRS.

13.13 Even if the amenity space may be allowed to be reduced to make the SRS technically and/or financially viable, at least 5% of gross plot area shall be provided as amenity space. Moreover, 5% of net plot area shall be maintained as Recreation Ground (RG)/ open space.

13.13.1 Recreation Ground/ Open space shall only be used as a Playground, or for Tree Plantation or Landscaping. Construction in any RG/ Open spaces may be allowed by the Competent Authority.

13.14 In the event of any proposed road widening, the computation of permissible FSI shall be made on the gross plot area, without deducting the area under such road widening.

13.15 Provision for Light and Ventilation shall be governed by the provisions made in DCR CSMIANA.

13.16 Fire Protection Requirements –

13.16.1 The planning, design and construction of any building under SRS shall be such as to ensure safety from fire. For this purpose, unless otherwise specified in these Regulations, the provisions of Regulation 47 (1) (A) and 48 of DCPR 2034 and similar provision of Regulation 9.32 and 9.28 in UDCPR will be applicable.

13.16.2 For multi-storeyed, high rise and special buildings, additional provisions relating to fire protection shall conform to the requirement of open space on all sides having minimum width of 6 m. and the layout of such buildings shall conform to the requirements prescribed by the Chief Fire Officer. The aforesaid open spaces shall be free of any obstruction and shall be motorable.

13.16.3 Fire protection requirements for the buildings and structures to be constructed under SRS components shall be governed by the provisions made in DCR CSMIANA.

14. Slums and Layout Amenities :—

14.1 The provisions of this Appendix shall prevail over the corresponding provisions of DCR CSMIANA or DCPR 2034 or UDCPR, in case of any conflict.

14.2 Existing hutments in the slum pockets occupying lands in dangerous locations such as hill slopes, marshy lands, in close proximity of water bodies, lands abutting Railway tracks and sites immediately required for the public and semi-public projects may be relocated on other suitable locations with the prior approval of the Competent Authority.

14.3 Existing hutments in the slums shall be allowed to be rehabilitated only where the amenities such as water-supply, sewage disposal, drainage and electricity are available. Additionally, the Competent Authority may also provide for other facilities, if required as a part of the SRS.

14.4 Wherever any CSMIANA Layout road passes through a plot under SRS, entire 100 percent FSI of such road shall be given for utilisation in the same site, on the remaining area of such plot area or as TDR.

14.5 In case of a Slum Rehabilitation Area, if the land on which the SRS is undertaken is adjoining railway tracks, a boundary wall of minimum 2.4 m in height shall be constructed on the side of the plot abutting the railway line. The developer shall be required to furnish a No Objection Certificate (NOC) from the concerned Railway Authority before being granted permission for construction of a building planned under SRS within a distance of 30 m from the railway boundary. Any development on such plot shall be carried out as per the terms and conditions stipulated by the concerned Railway Authority.

15. Aanganwadi, Health Centre / Outpost, Gymnasium / Fitness Centre, Skill Development Centre, Women Entrepreneurship Centre, Yuva Kendra, Library, and Religious Structures :

15.1 There shall be Balwadi, Welfare hall, society office and any of two amenities, as proposed by the developer, mentioned above of size 27.88 sq. m for every multiple or part of 500 Hutment Dwellers. There shall be a community hall for rehab building of the SRS as a part of the Rehabilitation Component. The area of such hall shall be 2% of rehab built up area of all the buildings or 200 sq. m whichever is less.

Religious structures existing prior to redevelopment, if allowed in accordance with the guidelines issued by the State Government from time to time as part of redevelopment, shall not exceed the area that existed prior to redevelopment.

Other social infrastructure like school, Dispensary, and Gymnasium run by Public Authority or Charitable Trust that existed prior to the rehabilitation and certified by the Competent Authority shall be allowed to remain or shift to another location. However, there shall be no increase in the existing built-up area occupying such social infrastructure.

15.2 Welfare Centre, Society Office, Balwadi, Health Centre, Multipurpose Community hall, Neighbourhood Market and religious structures, in the Rehabilitation Component shall not be counted towards the computation of FSI.

15.3 In addition to amenities such as the Welfare Centre, Balwadi, Society Office, Health Centre, Multipurpose Community hall, Neighbourhood Market and Religious Structures, the Competent Authority shall have rights to prescribe other necessary social amenities in any SRS, which shall have to be provided by MIAL/ developer on the rehabilitation site. The area constructed for such amenities shall not be counted towards computation of FSI.

16. Payments to Special Planning Authority/ Competent Authority :

16.1 The premium agreed upon between MIAL/ developer and the Competent Authority for any SRS shall be paid to the Competent Authority by MIAL/developer as per the installments and time schedule decided by the Competent Authority.

17. Procedure For Determining Eligibility For Rehabilitation:

17.1 A certified extract of the Relevant Documents shall be considered as evidence to establish the eligibility of a person for rehabilitation provided he is found to be occupying any Slum Structure. This is to avoid the possibility of persons who have left the structure coming back to claim free tenement under the scheme even though they have in the normal course left the slum and gone away. In case of doubt or dispute, the decision of the Competent Authority shall be final and binding on all the parties concerned.

The eligibility of a person including transferees under the SRS shall be established in accordance with Chapter I-B of the Maharashtra Slum Area (Improvement, Clearance and Redevelopment) Act, 1971 and orders issues there under.

17.2 Eligible Hutment Dwellers having a physically handicapped person or a widow household shall be given first preference in allotment of tenements to the Hutment Dwellers. Thereafter lots shall be drawn for allotment of tenements from the remaining tenements to the rest of the Eligible Hutment Dwellers, before grant of OC to the rehabilitation building.

17.3 Ownership and Terms of Lease- The part of AAI/MIAL land on which the Rehabilitation Component of the SRS will be constructed and will be leased to Hutment Dwellers for a period up to year 2036, on lease rent as decided by MIAL from time to time, and shall be renewable for further periods, as per the provisions of Operation, Management and Development Agreement (OMDA). The said lease deed shall be executed within 60 days from the date of issue of occupation certification.

17.4 Recovery of pending dues such as assessment, compensation, occupational charges, non-agricultural tax/ dues etc. pending with public authorities such as State Government, AAI/ MIAL, Municipal Corporations, City and Industrial Development Corporation etc. if any, shall not be linked to grant of approval or building permission to the SRS.

17.5 The developer shall register a Co-operative Housing Society for the rehabilitated slum dwellers immediately after occupation of rehab tenements by the slum dwellers. Stamp duty under Bombay Stamp Act, 1958 for registration of such rehabilitation tenement's document shall be fully exempted.

17.6 After construction of transit camp, the developer shall ensure the shifting of slum dwellers to the transit accommodation. In case of refusal/ objection by the slum dwellers, Clause 17.10 below shall be applied to those slum dwellers.

17.7 After the completion of permanently constructed rehabilitation building, the Competent Authority shall allot rehabilitation tenements by lottery system publicly. In case of refusal/ objection by the slum dwellers, Clause 17.10 below shall be applied to those slum dwellers.

17.8 In case after occupation of rehabilitation tenement, any new hutment or structure is reconstructed or occupied by the slum dweller, such unauthorised structure shall be immediately evicted and demolished without giving any notice by the Competent Authority in consultation with MIAL.

17.9 The MIAL or the developer appointed by MIAL shall register an agreement in favour of the rehabilitated beneficiaries for the constructed rehabilitation built up area and land spared for the same, along with common areas, access, marginal spaces left for the building, immediately after the final occupancy of all beneficiaries in the Rehabilitation Component.

17.10 In respect of those Hutment Dwellers on site, who do not join the project willingly, the following steps shall be taken:

- (i) Provision for all of them shall be made in the Rehabilitation Component of the scheme.

(ii) The details of the actual tenements that would be given to them by way of draw of lots on the same basis as for those who have joined the project, will be communicated to them in writing by the Competent Authority.

(iii) In case of dispute, decision of the Competent Authority shall be final and binding on all the parties concerned.

17.10.1 Hutment Dwellers on site, who do not join the SRS willingly shall be considered for allotment of tenements with due regard to the priority spelt out in Clause 17.2 above.

17.10.2 The transit tenements allotted shall also be earmarked for those slum dwellers that have not joined the SRS.

The transit tenements that would be allotted to such unwilling Hutment Dwellers would also be indicated along with the details of the transit accommodation allotted to those who have joined the SRS.

17.10.3 Action under the provisions of the Slum Act, 1971, including section 33/ 33A and 38 of the said Act shall be taken against any Hutment Dweller who is not willing to join the SRS within 15 days after approval on site has been granted for the SRS. The hutment of such a Hutment Dweller shall be removed and it shall be ensured that no obstruction is caused to the SRS.

In case of any Hutment Dweller not joining the scheme within 15 days after the approval has been granted to the SRS on a site, the action under the provisions of the Slum Act as amended from time to time, shall be taken and their hutments shall be removed. Further, and it shall be ensured that no obstruction is caused to the SRS.

17.10.4 Any slum dweller not joining the scheme till the building permission to the SRS is given, shall completely lose the right to any rehabilitation tenement, and their rehabilitation tenement shall be taken over by MIAL/ Competent Authority and used for the purpose of accommodating pavement dwellers and other slum dwellers which cannot be rehabilitated in-situ. At this stage the non- participating slum dwellers shall lose their right to rehabilitation.

17.11 The Managing Committee of the proposed as well as registered Co-operative Housing Society of Hutment Dwellers shall have women members as per provisions of Maharashtra Co-operative Society Act 1960.

17.12 The Competent Authority shall issue Identity Cards to each rehabilitated family in the name of the head of the family, jointly with his/ her spouse, if applicable. Selling/ Transfer/ Rent/ Lease of the rehabilitation tenement shall not be allowed for a period of 10 years (except to their heirs) from the date of possession of the tenement. In case of breach, the Competent Authority shall cancel the allotment in respect of the Hutment Dweller and take over the tenement. These conditions shall appear on the identity card as well.

18. Building Permission under SRS—

18.1 For the Slum Rehabilitation Schemes to be implemented under the provisions of this Appendix, MIAL shall finalize the schemes for inviting tenders and also evaluate the technical as well as the financial bids for the same, on the basis of which the MIAL will take final decision regarding selection of the suitable developer for implementation of such SRS.

18.2 The approval to any SRS shall be given by the Competent Authority within a period of 60 days from the date of submission of proposal, complete in all respect along with all relevant documents. In the event of a failure by the Competent Authority to do so, the said approval shall be deemed to have been granted, provided the SRS is strictly in accordance with the provisions in this Appendix.

18.3 The Competent Authority while granting the approval to any SRS may lay down such terms and conditions not inconsistent with the provisions of this Appendix as may be deemed necessary in interest of MIAL or effective rehabilitation of Hutment Dwellers.

19. Payments to be made to MMRDA/ SRA / MCGM/ any Local Authority/ any Planning Authority

Provisions of DCPR 2034 or UDCPR shall be applicable as regard payments to be made to MMRDA/ SRA/MCGM/ any Local Authority/ any Planning Authority.

20. Transferable Development Rights.—The TDR generated at CSMIANA from implementation of SRS under this Regulation shall be available to developer for use anywhere in Greater Mumbai. Provided that this Regulation shall be in consonance with the respective provision in DCPR 2034 or UDCPR.

20.1 Development Rights Certificate (DRC) for the TDR shall be issued by the Municipal Commissioner, MCGM, himself/or the administrative head of any planning Authority under UDCPR on a recommendation made by the Competent Authority in this regard. The FSI credit in square meter of built-up area will be stated in figures and in words along, with the particulars of the place where TDR is earned.

20.2 When a buildable amenity on the reserved plot for which Slum Rehabilitation Scheme is sanctioned and handed over free of cost to the Planning Authority, such Planning Authority may grant a further TDR due for the construction of the said amenity.

20.3. A DRC will be issued only on the satisfactory compliance with the conditions prescribed in this Appendix.

20.4. If developer or the holder of a DRC intends to transfer it to any other person he will submit it to the Municipal Commissioner, MCGM/ or administrative Head of any Planning Authority under UDCPR, as the case may be, with an appropriate endorsement of the new holder's name. Without such endorsement by the Municipal Commissioner, MCGM himself/ or administrative Head of any Planning Authority himself under UDCPR, the transfer shall not be valid, and will be available for use only by the original holder.

20.5. Developer or the holder of a DRC who desires to use the FSI credit certified therein on a particular plot shall attach to his application for development permission, valid DRCs to the extent required.

20.6. Irrespective of the location in which they originate, DRCs may be used anywhere within the jurisdiction of MCGM as per indexation as per the formula given in DCPR 2034. However DRCs originating in MMR, other than the area within the jurisdiction of MCGM, may be used as per provisions of UDCPR.

20.7. The DRCs generated under this Regulation may be used as per the provisions of DCPR 2034/ UDCPR.

20.8. A DRC shall not be valid for use on receiving plots in the areas listed in the related Regulations of DCPR 2034 / UDCPR.

20.9 Procedure relating to issue of TDR under DCPR 2034/ UDCPR shall be applicable as the case may be.

PART- III

21. Contributory Rehabilitation Scheme for Non-Protected Hutment Dwellers—

21.1 MIAL may, at its discretion, implement one or more Contributory Rehabilitation Schemes for rehabilitation of Hutment Dwellers of Slums or Slum Rehabilitation Areas in CSMIANA who are non-protected as per Clause 2.19, wherein any individual Non-Protected Hutment Dweller may, in lieu of his slum structure, be provided a residential rehabilitation tenement having a carpet area of 27.88 sq. m (300 sq. ft). Such Rehabilitation tenement will be

provided on payment of such contribution by the concerned Non-Protected Hutment Dweller, as the Competent Authority may specify.

However the 25 sq. m. (269 sq. ft.) carpet area tenement already constructed and available with MIAL, may be offered to Hutment Dwellers and they will not be compensated or given the difference between 27.88 sq. m. (300 sq. ft.) and 25 sq. mt. (269 sq. ft.).

21.2 The Non-Protected Hutment Dwellers shall not be preferably rehabilitated in-situ but in other available plots procured or arranged by MIAL, outside CSMIANA and anywhere in MMR.

21.3 The Competent Authority shall finalise list of "Non-Protected Hutment Dwellers" for whom Contributory Rehabilitation Scheme is proposed to be implemented by MIAL and it shall be obligatory for all the listed families of Non-Protected Hutment Dwellers to participate in such Scheme.

21.4 Subject to approval of the Competent Authority, the decision of MIAL shall be final and binding on all concerned parties regarding the location of plots for rehabilitating the "Non-Protected Hutment Dwellers".

21.5 For commercial/ office/ shop/ economic activity upto 20.90 sq. m (225 sq. ft.), carpet area or actual area, whichever is less, shall be provided to the Non-Protected Hutment Dwellers. Industrial users may be provided a commercial unit in the Rehabilitation Component as applicable to a commercial unit.

21.6 Where a person has both residential and commercial, for commercial/ office/ shop/ economic activity in the Slum/ Pavement, he shall be considered eligible for residential/ commercial unit but for commercial/ office/ shop/ economic activity carpet area of such unit shall not exceed 27.88 sq. m (300 sq. ft.).

PART IV

22. General Provisions.—

22.1 Eligibility criteria for the developer shall be decided by MIAL, which shall include, inter alia, solvency certificate of such amount as may be decided by MIAL.

22.2 MIAL may decide the appropriate policies for effective implementation of the provisions in this Appendix. MIAL shall formulate and adopt appropriate procedure and policies in this regard from time to time.

22.3 The fees for scrutiny of layout/ building permission etc. shall be as decided by the Competent Authority and it shall be revised from time to time. However, this fee shall not exceed the fee charged by SRA for this purpose.

22.4 In specific cases where genuine hardship is clearly demonstrated, the Competent Authority may grant relaxations wherever necessary for reasons to be recorded in writing in order to make the SRS viable.

22.5 In case of any ambiguity or doubt regarding interpretation of the provisions contained in this Appendix, the decision of the State Government shall be final and binding on all concerned parties.

22.6 If there is any conflict between the provisions of this Appendix and DCPR 2034 or UDCPR, provisions of this Appendix shall prevail.

22.7 Subject to approval by the Competent Authority, the decision of MIAL shall be final and binding on all concerned regarding the proportion and location of the land area to be used for the Rehabilitation Component.

22.8 It shall be permissible to implement SRS on an encumbered or vacant plot in CSMIANA and anywhere in MMR, except hilltops, hill slope etc. wherever construction is not permissible.

22.9 After date of coming into force of this Regulation, any change in provisions regarding the Slum Rehabilitation in DCPR 2034/ UDCPR shall be deemed to be incorporated in this Appendix, if so opted by MIAL at its sole discretion but subject to prior approval from Government of Maharashtra.

NIRMALKUMAR CHAUDHARI,

Under Secretary to Government.